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THE EDITORS: FOR A WASHINGTON STATE RE-VOTE

NATIONAL REVIEW

"GROUNDHOG" MAGIC

JONAH GOLDBERG ON THE ENDURING BRILLIANCE OF THE MOVIE ABOUT A WEATHER-PREDICTING RODENT

DAVID FRUM, RAMESH PONNURU, THE EDITORS: *THE INAUGURAL AND THE SECOND TERM*

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WFB, ROB LONG: *GOODBYE JOHNNY*

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Energy through 2030

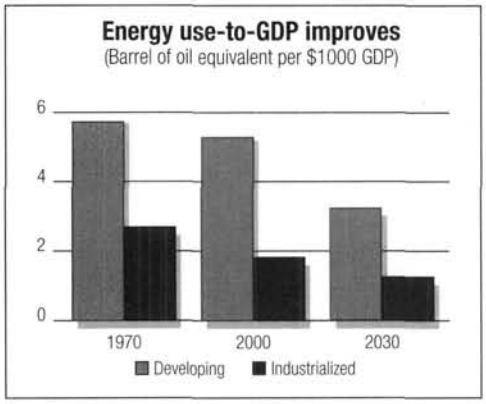
Energy plays a key role in economic prosperity, and lately it has commanded significant public attention. It's our business, and so we continually assess trends and issues that are likely to affect energy in the future. Key elements of our outlook are provided here.

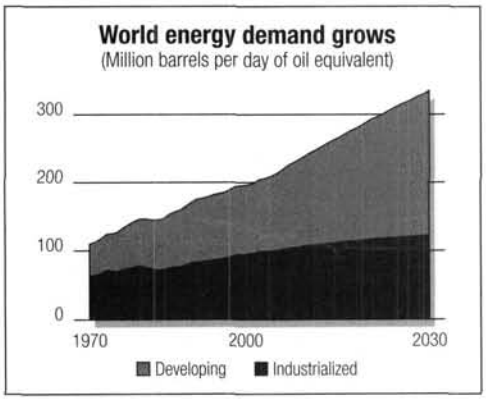
Compared to 1970, economies today use substantially less energy per dollar of economic output. We expect an even faster future rate of improvement as more-efficient technologies are developed and used to help meet growing transportation and power generation needs and tightening environmental standards.

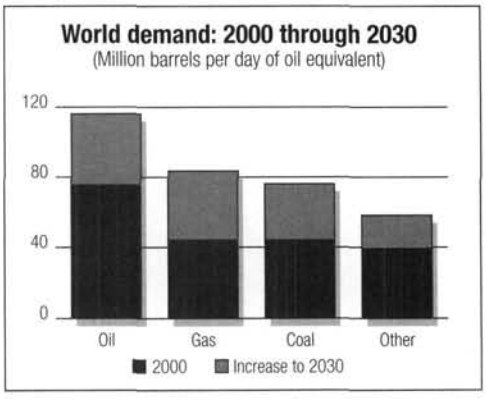
Economic growth of about 3 percent per year through 2030 will continue to drive energy demand. In concert with rising personal incomes, we expect energy demand to grow about 1.7 percent per year. By 2030, demand could be about 335 million barrels per day of oil equivalent, or about 50 percent more than today. The vast majority of this increase will be in developing nations, consistent with faster economic growth and substantial increases in personal vehicle use.

Fossil fuels meet more than 80 percent of the world's energy needs, and we expect this trend to continue through 2030. In the very long term, a more-diversified energy mix is likely with increasing opportunities for nuclear and bio-fuel energies. However, for the foreseeable future, fossil fuels are the only energy forms with the scale and versatility to meet the world's growing needs.

We believe innovative technologies, access to resources, substantial investments, continued energy conservation and responsible development efforts will help ensure reliable and affordable energy to meet future world needs.







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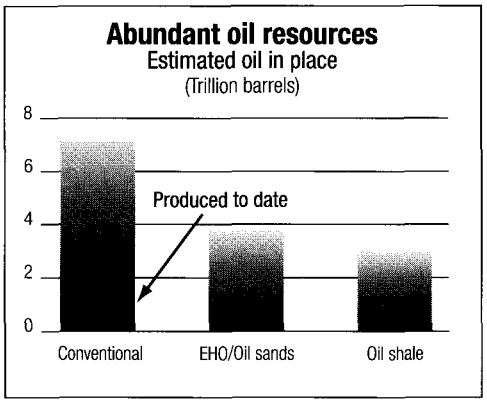
Energy through 2030

By 2030, the world's economic output is expected to be four times what it was in 1980. This economic growth is expected to be accompanied by nearly a doubling of global oil demand.

Abundant resources exist to meet these energy needs. According to U.S. Geological Survey estimates, recoverable "conventional" oil resources equal about 3 trillion barrels (out of about 7 trillion barrels in place). In addition, current estimates of extra-heavy oil (EHO), oil sands and oil shale total about 7 trillion barrels. These frontier resources are concentrated in Canada, Venezuela, Russia, the Caspian and the United States.

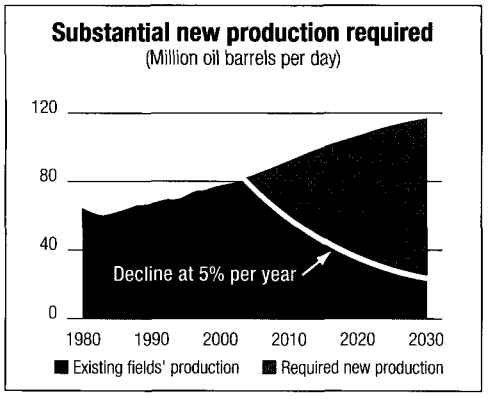
To meet estimated oil demand in 2030, production from ***new*** developments will need to reach nearly 100 MBD, an amount greater than today's global production.

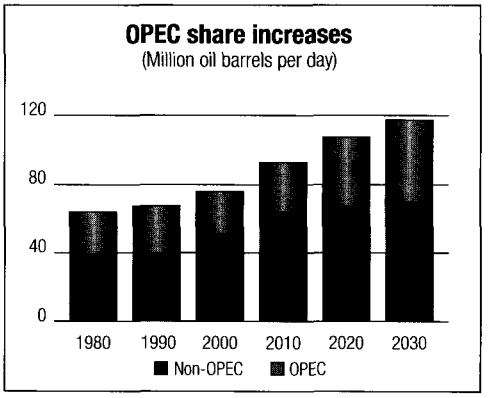


A key to achieving this increase will be continuing technology advances. For example, ExxonMobil's Sahkalin Island project in East Russia will utilize more than 20 extended-reach wells, directionally drilled from the world's most powerful land rig to accurately tap resources more than 5 miles offshore.

We also expect OPEC nations to contribute a greater share of oil supplies, consistent with their large undeveloped reserves. Annual production increases post-2010 of approximately 1 MBD are anticipated.

The cooperation of governments to expand access to resources, promote economic and responsible resource development, and nurture international trade relationships is vital. These will be critical to attracting the huge investments needed to provide reliable and affordable energy supplies.





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FEBRUARY 14, 2005 VOL. LVII, NO. 2

NATIONAL REVIEW

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■ COVER ESSAY

A Movie for All Time

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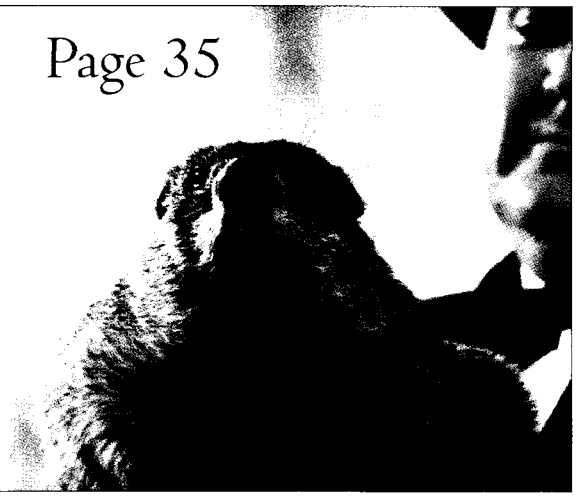
As the day of the groundhog again approaches, it seems only fitting to celebrate what will almost undoubtedly join *It's a Wonderful Life* in the pantheon of America's most uplifting, morally serious, enjoyable, and timeless movies. That's right, I'm talking about *Groundhog Day*. *By Jonah Goldberg*



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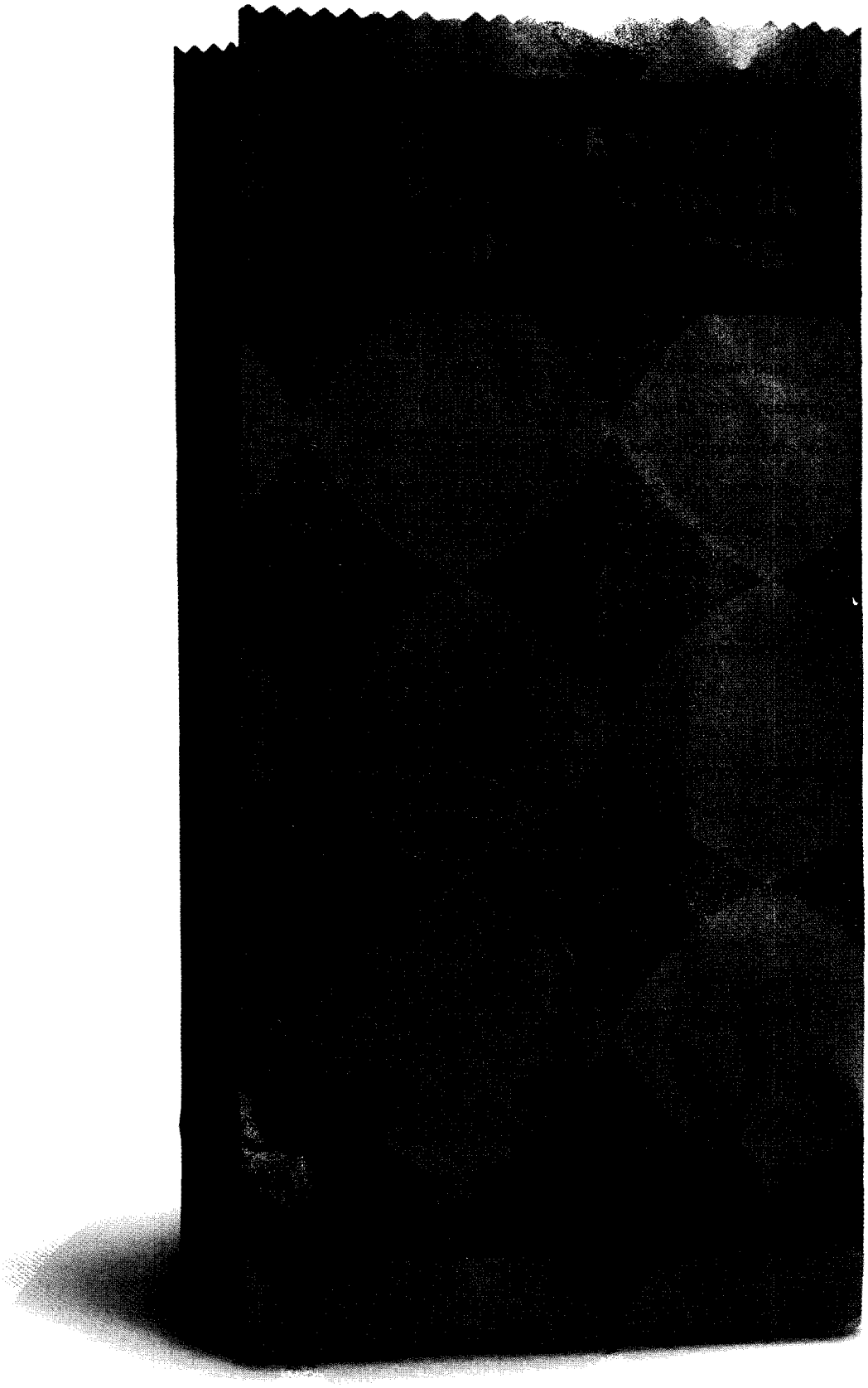

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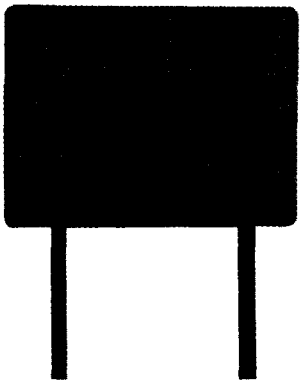
letters to the editor

A TAXING DEBATE

Ramesh Ponnuru's "The Perils of Tax Reform" (Dec. 13) argues that the administration is wise to ignore calls for bolder tax reform. I vigorously disagree. A May 1997 study completed by Dale Jorgenson, formerly chairman of the economics department at Harvard, concludes that on average 22 percent of what we spend represents the embedded cost of the current system. We are paying the income-tax costs, the payroll-tax costs, and the accountants and attorneys to avoid the tax costs of every one of the business entities that are involved in, say, the making of a loaf of bread.

The tax component in our price system makes our products less competitive in a global economy. Jobs are driven to nations where production is less burdened by a tax component. Our confiscatory tax system also chases capital into offshore financial centers. It is estimated that we currently have about $6 trillion off-shore. If we were to eliminate all taxes on capital and labor we would be the world's largest tax shelter. That money would be in the U.S. and jobs would necessarily follow.



We spend over $200 billion a year filling out IRS paperwork. Business leaders will tell you they spend a similar amount calculating the tax implications of a business decision. One noted economist told me that we lose 18 percent of our economy by making "tax decisions" instead of "economic decisions." That puts us somewhere in the range of $500 billion in costs to send in three times that amount. This is not just inefficient, it is stupid. Getting rid of these costs on the system would put about $5 trillion in the pockets of consumers over the next ten years.

A recent book has made a serious guestimate as to the size of the underground economy. The author claims that three components—pornography, illicit drugs, and illegal labor—constitute a trillion-dollar economy, untaxed. The FairTax plan I propose would not legalize this activity, but would tax the recipients of the money when they spend it.

These listed economic problems will all be dealt with by bold, fundamental tax reform, like the FairTax. None will be dealt with by tinkering with our current system, which is—if you think about it—a flat-tax plan, 92 years later.

Rep. John Linder
Duluth, Ga.

RAMESH PONNURU REPLIES: Rep. Linder does not address the argument I put forward. A national sales tax cannot possibly win congressional approval. If it did, it would be an engine for the growth of government. If he has an example of a country where it has not been such an engine, I would love to hear about it.

TOUGHENING UP ON IMMIGRATION

Regarding "GOP, You Are Warned" (Dec. 31), I couldn't agree more with David Frum that a Bush policy that appears to be soft on illegal aliens and border security would alienate a significant portion of his Republican base. Yet while border security must be improved and illegal aliens should not be rewarded with amnesty for having broken American immigration laws, the best way to curb illegal immigration is to place a heavier responsibility on employers, schools, and other persons or entities from whom illegal aliens might benefit. There should be greater scrutiny regarding aliens in workplaces and on campuses, and heavier penalties imposed on those who are indifferent to the gravity of the situation. That would make life much more difficult for illegal aliens, and the word would spread that coming and staying here illegally isn't exactly a walk in the park.

Constantinos E. Scaros
Cliffside Park, N.J.

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Tsunami Lessons

FROM THE
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A Cultural Problem

Russell A. Berman

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As the toll from the tsunami continues to mount, it has become clear that this catastrophe was also a political turning point. No governments may have fallen, but some deeply held political myths and beliefs have not been able to withstand the force of the tidal wave that changed the world.

First and foremost, **the myth of Islamic solidarity has been shattered**. Despite most victims in Indonesia, the most populous Islamic country on the face of the earth, being Muslim, the support flowing from Arab governments has been pitifully small. The decades of petrodollars and the years of high gas prices have apparently not put the oil-rich Middle East in a position to afford to offer much help to Muslims in distress. But as Islamic victims receive support from the non-Islamic world, the already dubious claim that the general opinion of Muslims in the Middle East might be predisposed to rise up against the West becomes simply untenable.

In the face of a real disaster, neither the fundamentalists nor the Baathists nor the anticolonialists have done much at all. In contrast, the energy of the Western relief effort is likely to put a deep dent in the anti-Western and especially anti-American propaganda of the Islamicists.

Second, the generosity of the developed world has been considerable, especially from such regional neighbors as Japan and Australia but also from the United States and Europe. The tendentious suggestion that the United States was "stingy" failed to note that the "old European" powers initially proposed relatively low offers of aid as well. Only as the real extent of the disaster became clear did these amounts grow to many times their original size. Moreover, the outpouring of support has highlighted the importance of private giving and therefore the role of society beyond the state, just as it has shed light on the marginal standing of the United Nations.

The UN may still be able to find a raison d'etre in aid coordination. Although, after the debacle of the Oil-for-Food program, to expect a small dose of efficiency from a UN operation requires a bold leap of faith. **The UN was simply unable to provide the leadership that came from the representatives of democratic nations—better unilateral action than multilateral inaction.**

Finally, because disaster relief is not only about cash but also about a logistic capacity to deliver aid to the needy, a strategic military presence is crucial. Good intentions are a wonderful thing to have, but troops on the ground get things done. Although the Europeans have promised generous amounts of aid, they simply lack the naval capacity to transport it to the region in a timely manner, and it is unlikely that they will develop such a capacity in the future. The United States played a central role in the relief effort, thanks to its fleet. It is difficult to imagine that this operation will not counteract some residual anti-Americanism in the area. French president Jacques Chirac complained that the United States stole the limelight from a hypothetical multilateral effort he might have preferred, but in the meantime American aid has been able to save lives in Indonesia because U.S. forces were actually able to get there.

—Russell A. Berman

Russell A. Berman is a senior fellow at the Hoover Institution and the Walter A. Haas Professor in the Humanities at Stanford University. He is the author of Anti-Americanism in Europe: A Cultural Problem *(2004).*

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THE WEEK

■ Barbara Boxer now is the foremost representative of a powerful home-state interest group: the Sour Grapes Growers of California.

■ Ted Kennedy, at the National Press Club, presented what he thought should be the Democratic response to President Bush's re-election. He wants us to withdraw from Iraq, and to stop "bullying" other countries "to salute us." He thinks we "should invest in mass transit." Social Security, he says, faces no financial problems—the only threat to it is President Bush. Everyone but Senator Kennedy thinks that Medicare is going broke; he wants it expanded. He thinks the government should recognize same-sex marriages. His answer to abortion is increased funding for social programs. "Republican Congresses and administrations have consciously chosen negative policies that diminish the American dream." So this is how Senator Kennedy wants to spend his waning years: as liberalism's last Bourbon king.

■ *Roe* v. *Wade* has just reached the age of 32, which is of course considerably more years than many innocent lives have, thanks to it, enjoyed. Even supporters of the abortion license found it a melancholy anniversary. Writers and activists in that camp increasingly talk about life after *Roe*. Some even say that the cause of abortion rights would be better off without *Roe*. The theory, which is close to conventional wisdom among the pundits, is that if legislatures regained control of abortion policy, the pro-life demand for a ban on abortion would be discredited as unpopular. The flawed assumption here is that all the tactical rigidity would be found on the pro-life side. The pro-choice demand for legal abortion into the third trimester might repel people, too; it might repel people more. We would probably end up with substantially more legal protection for the unborn than we now have. We would certainly have brought American government into closer alignment with the Constitution. As it happens, the speculation is premature. We are not yet close to overturning *Roe*. To do that, pro-lifers would have to make sure that all current anti-*Roe* justices, and two current pro-*Roe* justices, are replaced by opponents. But the muttering within the abortion lobby suggests that the end of *Roe* is becoming more and more thinkable every year.

■ The president said that the Federal Marriage Amendment does not have the votes in the Senate to pass. Moreover, it will not have those votes until courts strike down the Defense of Marriage Act, an existing law that many senators think is sufficient to block court-imposed same-sex marriage. As a report of what senators believe, Bush's comment is correct. But the senators' belief is absurd. The Supreme Court could order every state in the union to accord legal status to same-sex "marriages" without touching the key provision of the act. Or every state court in the country could follow the lead of Massachusetts. We could thus have same-sex marriage across the country without the public's voting for it anywhere—and with the Defense of Marriage Act still on the books. Shouldn't Bush try to explain this to senators? The timing of the president's remarks is also deplorable. What he said about the vote count in the Senate, and the reasons for it, could also have been said before the election. But back then, he wasn't coming up with excuses for inaction. He was pledging to protect marriage. Critics of the Federal Marriage Amendment always said that Bush had endorsed it for cynical electoral reasons and was not really committed to it. Now Bush appears to be confirming the charge.

ROMAN GENN

See page 14

■ Sen. Boxer was the only member of the Senate to vote against certifying George Bush as the election's winner. Two weeks later, she was railing against the war in Iraq, and accusing Condoleezza Rice of lying about Saddam's WMDs, telling the secretary of state designee, "Your loyalty to the mission . . . overwhelmed your respect for the truth." This Boxer Rebellion signals that Senate Democrats feel no discomfort at being defined by one of their most intemperate members. Unless there's a more devious plan. In contrast with Barbara Boxer, Senator Hillary Clinton is a mannerly model of moderation.

■ The Bush administration wants to reform Medicaid so that federal spending is capped and states have more control over the program. The nation's governors, and the lobbying groups

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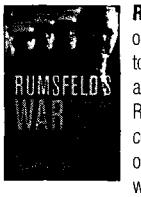

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The Enemy Within — In this follow-up to his #1 New York Times bestseller, *The Savage Nation*, Savage picks up where he left off. *The Enemy Within* focuses on the dangers assailing American life, showing how liberalism — the Enemy Within — is corrupting our churches, schools, courts, military, even our families.

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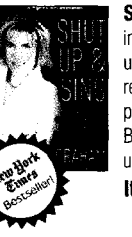

Shut Up & Sing — In this refreshing and insightful look at the elites, Laura Ingraham unmasks the shallowness of elite thinking and reveals that it is they, not us, who are the stupid ones — and that loudmouth liberals like Barbra Streisand would do better to just "shut up and sing."

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Miles Gone By — For years conservatives have been awaiting — and publishers have been coveting — the autobiography of William F. Buckley, Jr. As the founder of *National Review*, host of the Emmy Award-winning *Firing Line*, bestselling author (beginning with the seminal *God and Man at Yale*), syndicated columnist, linguist, raconteur, and sometime seafaring adventurer, Buckley is not so much a giant of conservatism as a force of nature.

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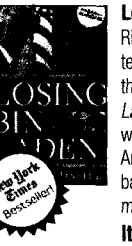

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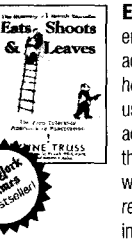

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THE WEEK...

that speak for them, have a different idea: They want the federal government to give them more money. They act as though the federal government forces them to maintain lavish Medicaid programs and refuses to pay its fair share. The truth is that federal mandates account for only a small share of states' Medicaid spending. States choose to provide extra benefits because the federal government matches their spending. This is why Medicaid spending is out of control. When times are good and states have extra money, they spend it on the program. Because of the federal match, they can give their voters $2 of benefits for every $1 of taxes they devote to Medicaid. When times are bad, states find themselves in a bind: To get $1 of savings, they have to cut $2 of benefits. This dynamic has caused budget crises in state after state. Bush should stiff the governors. If the states want more control over Medicaid, let them take full financial responsibility for their decisions.

■ Michael Powell was a vocal proponent of deregulation as head of the Federal Communications Commission. But policy lagged behind the rhetoric, largely because fellow Republican commissioner Kevin Martin voted with the Democrats—and with companies who want regulation to stifle their competitors—on some key issues. The overregulation of the telecom sector was one of the key reasons for its disappointing performance in recent years. Now Powell is leaving the FCC, and Martin is reportedly in contention for his spot. We hope the reports are wrong.

■ The Kansas Supreme Court has broken new ground in school-finance law. Normally courts claim the authority to rewrite their states' education-funding policies based on constitutional guarantees of "equal protection." The Kansas Court relied instead on the claims of professional educators, in earlier stages of litigation, that the state's funding was "unsuitable." Never mind that education spending in Kansas has doubled since 1989, rising twice as fast as inflation. The political class, including conservatives, continues to debate the propriety of removing issues from the jurisdiction of the courts. The courts seem to have no reciprocal hesitation about removing issues from the jurisdiction of anyone else.

■ Army Spc. Charles Graner got ten years for his role in the prison abuse at Abu Ghraib. His defense rested on the argument that he was acting under orders when he sexually humiliated and beat Iraqi prisoners. He tried to produce witnesses to this effect, but almost all of them ultimately testified that Graner was just amusing himself. E-mails from Graner produced at the trial showed his reveling in, and bragging about, the pain he inflicted on the Iraqis. It is still possible that intelligence officers will be implicated in the abuse (in which case they too should be punished), and the loose command environment at the prison that permitted the abuse and other violations of basic military discipline is itself scandalous. But the Graner verdict shows that at the very center of the Abu Ghraib case were cruel men and women who had no compunction about mistreating the prisoners under their control, and disgracing their country.

■ All quiet on the Gaza front: There's been a brief and welcome lull in the terror campaigns of Hamas, the Al-Aksa brigade, and such-like. More than that, Yasser Arafat's successor, Mahmud Abbas, has deployed some hundreds of his security forces around the Strip's border with the aim of preventing acts of terrorism. So he's been able to do peacefully in a few days what Arafat for years said couldn't be done for fear of a Palestinian civil war. At the same time, he is negotiating with the various terror groups the terms on which they would agree to a more permanent suspension of attacks on Israel. Abbas's grandfatherly air may be misleading; he seems to be in a position of strength. One amazed Israeli official is quoted saying that Abbas "surpassed our expectations." Israelis wouldn't be paying compliments and waiting on events unless they believed that he really can persuade Palestinians that violence is their ruin, and not their salvation.

■ The staff of the *Jerusalem Post* has performed the valuable task of singling out international news organizations that retain Palestinian Authority employees masquerading as journalists. Among them are the Associated Press, one of whose reporters does work for the PA-financed *Al-Ayyam* newspaper, and Agence France-Presse, whose Gaza correspondent is also the chief area reporter for the PA's Voice of Palestine radio. Armstrong Williams and the Department of Education have nothing on the world's big media and the Palestinians.

■ Zhao Ziyang died in Peking at age 85. After serving as prime minister of China, 1980-87, and as general secretary of the Chinese Communist Party, 1987-89, Zhao became an unperson after the crushing of the 1989 protest movement. He spent the subsequent years under house arrest, being allowed out now and then to play a round of golf. After news of his death came out, the Communist government acted ferociously against any attempts to commemorate him publicly. Zhao was the principal person responsible for implementing Deng Xiaoping's economic reforms in the early 1980s, thereby laying the foundations for the great Chinese boom of recent years. He was sympathetic to the 1989 student movement, to which he felt the Communist Party ought to supply "guidance," without compromising its position as the sole power center in Chinese politics. In this he resembled late-Soviet leaders like Andropov and Gorbachev. His Politburo colleagues took a different view, regarding the protests as being the work of "black hands" who were manipulating gullible citizens from behind the scenes, in order to bring down the party and usher in "bourgeois liberalization" (i.e., constitutional government). Zhao was a dedicated Communist, no democrat of any type recognizable to free peoples. His words and deeds did, however, show some traces of humanity; and it was this character flaw that brought him down.

■ During his rule of Uganda, the dictator Idi Amin wrecked the nation's economy, drove out tens of thousands of her citizens, and murdered hundreds of thousands more. Yet state documents recently released to Britain's National Archives show that the portly tyrant (who died a year and a half ago in Saudi Arabia)

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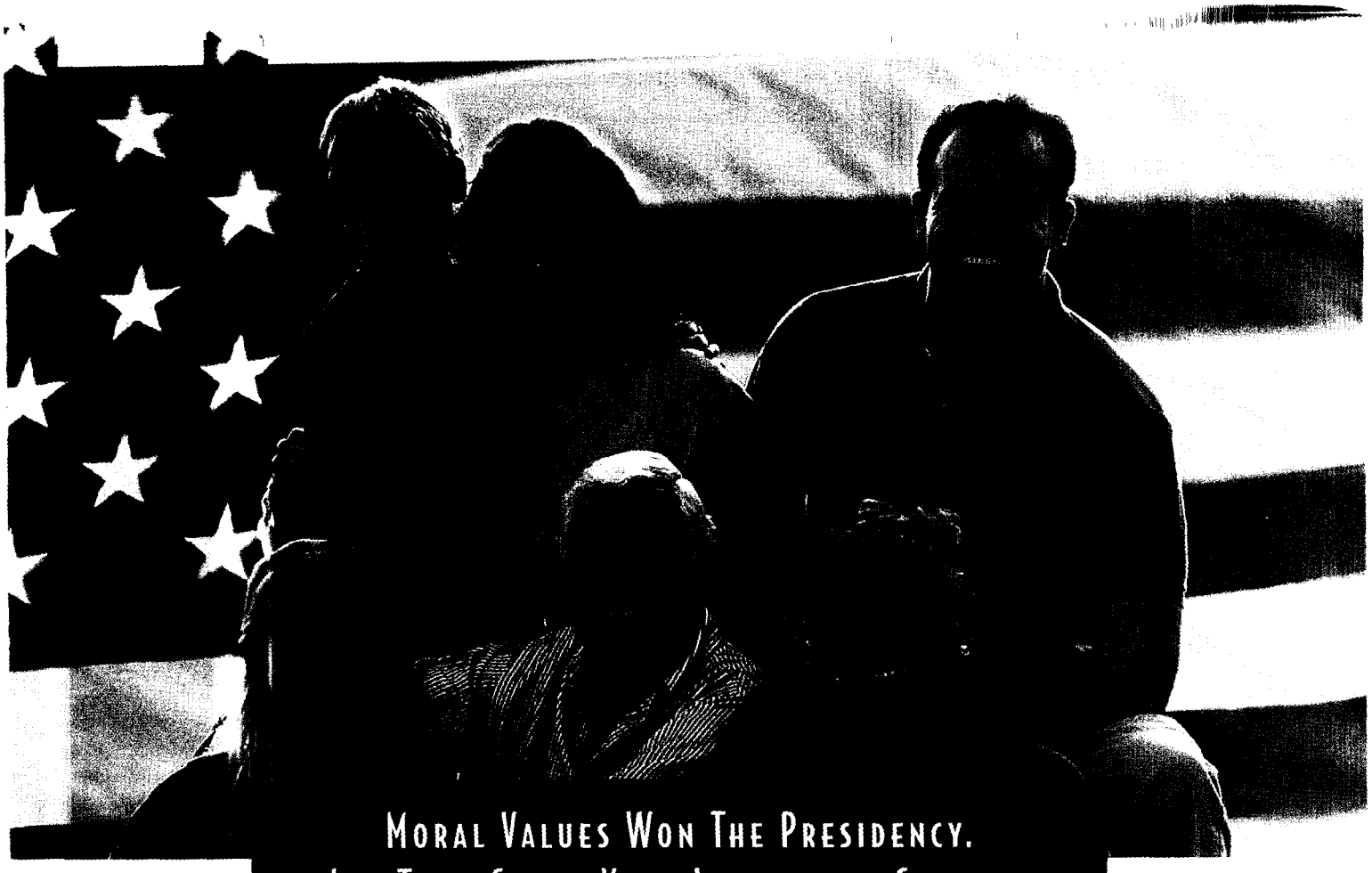

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THE WEEK...

had a helpful side. In 1973, during one of the U.K.'s recurrent pre-Thatcher financial crises, he offered to rescue the British economy. He actually created a Save Britain Fund, encouraging ordinary Ugandans to make contributions. In one excited cable he told Her Majesty's government that: "Today, 21 January 1974, the people of Kigezi District donated one lorry load of vegetables and wheat. I am now requesting you to send an aircraft to collect this donation urgently before it goes bad." Receiving no satisfactory response to this and other magnanimous offers—including a later one to broker peace in Northern Ireland—Amin turned against Britain, awarding himself the title "Conqueror of the British Empire in Africa and Uganda in Particular." Amin was of course a monster, but it's hard to deny he had style. Of a sort.

■ As you may have noticed, we have discontinued the feature "For the Record." It ran for decades, but its purpose was slowly eroded by the information revolution, and particularly by the rise of the Internet as a news source. It had become outdated, just like Dan Rather. We hope you will remember at least one of them fondly.

■ TWIT ALERT. Prince Harry, third in line for the British throne, attended a "Native and Colonial"-themed costume party (that alone would merit a chapter in *Vile Bodies*) sporting Afrika Korps garb and a swastika armband. How Rommel would have disliked that armband. How everyone else disliked the costume. Since one relative, George VI, was bombed by the Nazis, while another, the Duke of Windsor, rather liked them, family pride and family shame both argued for a better choice. But the scorn, appropriate enough on first blush, soon got out of hand. Harry was urged to attend the ceremonies marking the 60th anniversary of the liberation of Auschwitz (that media spectacle would have been a fine way to honor the slain). The anti-monarchical animus of the Murdoch papers—the *Sun* in England, and the *New York Post*—is a constant of all House of Windsor scandals. But what about the principle of to the victor belong the spoils? Britain was the linchpin of the Grand Alliance: France surrendered, we came in late, the Soviets started on the other side. The Brits pre-eminently brought Hitler down, and they have a right to make sport of his regalia. An enemy whose accoutrements are the stuff of costume parties is no longer a threat. Harry is no Mel Brooks, but to the extent he thought at all, his heart may well have been in the right place.

■ A friend on the Continent sends us a publication from France, called *L'Anti-Américain*. He says, "You'll find it at all the best kiosks in Paris." At the top of the paper's front page is a motto: "We are all anti-Americans!" Lower down on that page is a pretty girl, naked except for the American flag that covers her naughty bits. On page 3 is a list of (alleged) anti-Frenchies, including NR's Jonah Goldberg. (Our address is helpfully provided.) You may ask, "Couldn't every paper in France be called *L'Anti-Américain*?" Yes, but not all of them have pretty, naked girls.

■ Hossam Armanious was a Coptic Christian immigrant from Egypt who lived in Jersey City. Early in the New Year, he, his wife, and two daughters were found murdered in their home. Fellow Copts believe they were slain for their religion. The Coptic minority in Egypt, comparable in its proportions to blacks in the U.S., suffers routine prejudice and sporadic violence, which is why Armanious left. In America, he vigorously defended his religion on an Arab-language chat site, and had been threatened for it. The throats of the victims were slit, and the cross-shaped wrist tattoo of one daughter was reportedly stabbed, though police have denied this. There was an ugly scene at the funeral when a Muslim cleric who had come to pay his respects was chased away by angry mourners. American justice requires that ordinary Muslims not be inculpated in the crimes of fanatics. But American justice also requires that, if anti-Coptic hatred has come to these shores, the Muslim community reject and denounce it.

■ Harvard President Lawrence Summers wondered aloud, at a recent academic conference, whether there might not be innate differences between the scientific capacities of men and women. "I just couldn't breathe," said Nancy Hopkins, a professor of biology at MIT, who walked out. "This kind of bias makes me physically ill." In his third apology, Summers said, "I have learned a great deal from all that I have heard in the last few days." What he learned—rather, re-learned: How could an academic lifer not have known it?—is that there are favored groups in university life: women, blacks, gays, increasingly Palestinians. They are like "special" children; they must be segregated, wherever possible, and everyone must praise their crayon drawings of flowers. Anyone who breaks these rules is punished with mock-severity. The severity is mock because, if the rule-breaker is craven enough, and if enough favors are doled out to the favored groups in recompense, nothing changes (there was talk at Harvard of guaranteed new hiring of women). It is an excellent system for maintaining order and equilibrium; bad only for freedom, the mind, and self-respect.

■ Elsewhere in this issue, John Derbyshire attacks the theorists of "intelligent design." What they are doing, he says, is not science. That may be so. But it is also true that a lot of the resistance to evolutionary theory is a result of Darwinians' straying into

THE BULLET, DODGED

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Insurgents throw beheading parties,
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THE WEEK...

theology. Too many of its popularizers have made expansive claims about evolution's allegedly atheistic implications. If evolution excludes the possibility that God either guides the process or set it in motion in order to yield the human race, then most Christians will not sign on. But no scientific theory actually could exclude that possibility, or even affect its plausibility. To pretend otherwise is a conceit. Meanwhile, we see no good reason for the curricular choices of Pennsylvania school districts to be a national political issue involving the federal courts.

■ Who is CBS considering to fill its empty anchor chair? Katie Couric, the tufted titmouse of liberalism, that's who. It needn't be so. CBS could turn to conservative MSM stalwarts like . . . or . . . or . . . oh, forget it.

■ Absorbent and yellow and porous is he . . . but gay? It seems to be one of the imperatives of our culture that every kiddies' TV cartoon character must sooner or later come under suspicion of sexual eccentricity. (Remember Tinky Winky?) The latest animoid to suffer this indignity is SpongeBob SquarePants, the cute little fellow who, as everyone with small children knows, lives in a pineapple under the sea. Speaking at a pre-inaugural dinner, Focus on the Family founder James C. Dobson criticized a video being distributed to public schools featuring SpongeBob, among other children's favorites, as "pro-homosexual." What seems to have happened is that the firm producing the video, asked for something that "promotes tolerance," assumed, as anyone habitually dealing with the public-education system naturally would, that this meant tolerance for absolutely every kind of "lifestyle," and pitched the thing accordingly. Said a spokesman for Nickelodeon, the TV channel that shows the SpongeBob show: "It's a sponge, for crying out loud. He has no sexuality." While not strictly correct from the point of view of biology, this at least puts the matter into perspective.

■ Sometimes a political cartoon defies even the lowest expectations of civility in public discourse, and so it is with one of the latest from *The Boondocks* by Aaron McGruder. The cartoon relates a news broadcast on affirmative action in which Condoleezza Rice is reported to support the death penalty for "anyone who teaches a black person how to read." President Bush is said to have settled, with difficulty, on a compromise position of "just keeping black students out of college." There's not much we can say about such vileness—the accusation of murderous racism against our president and secretary of state, and by extension anyone who opposes race-based preferences—except to repeat the immortal words of Bob Dole: Where's the outrage?

■ Kipling's line about "makin' mock o' uniforms that guard you while you sleep" was given ugly illustration at Seattle Central Community College on Inauguration Day. To signal their disgust at the swearing-in of President George W. Bush, a gang of students at that school left their classes and marched through the halls, banging on doors to encourage others to join them. So far, so routine. In one hallway, however, the mob came upon two army recruiters. They spent a happy ten minutes taunting the soldiers and tearing up their recruiting literature before permitting college security guards to escort them out. You don't have to be a fan of universal conscription—we are not—to be seized with a momentary desire to get those students out on a parade ground with full packs under the command of the men they jeered at. It would be even more satisfactory to picture them deployed in combat and under enemy fire, as those two recruiters may very well be next week or next month.

■ We note the thirtieth anniversary of the bombing of Fraunces Tavern in New York City. Four died in that atrocity and more than 60 were injured. The bombing was the work of FALN, a Puerto Rican terrorist group with ties to Cuban intelligence. Among the events that followed that bombing was one of the most sordid acts of a sordid presidency. In 1999, then-President Bill Clinton offered executive clemency to 16 FALN members. Of the 14 FALN terrorists still jailed at the time, 11 accepted the mild conditions of Clinton's offer and were promptly released. Hillary Clinton was eyeing one of New York's U.S. Senate seats, you see, and there are lots of Puerto Ricans in New York. This is a useful thing to remember when evaluating remarks by Clinton apologists like Richard A. Clarke to the effect that terrorism was the highest priority of the Clinton administration.

■ Mid-January was blessed with two grand American spectaculars, standing at opposite ends of the spectrum of civic gravity. On the one hand were the solemnities of the Inauguration; on the other, a Trump wedding. In the grand American tradition of gaudy extravagance, our most colorful billionaire, TV personality, and bestselling author took his third (if we have counted right) bride, a "super-model" from Slovenia, at an Episcopal service in Palm Beach, Florida. Bride and groom both promised to honor each other "for richer, for poorer," to some suppressed sniggers from the congregation. The main wedding cake was a seven-tier number weighing 200 pounds, covered with about 3,000 preformed white roses made of icing. The United States, a clever person once said, had passed from barbarism to decadence without having passed through any intermediate stage of civilization. Phooey. The injunction "if you've got it, flaunt it" will always have its proponents, and, as the career of Donald Trump illustrates, this is still a nation in which anyone at all can get it.

■ "And what is it that will make it possible to spend 20 billion dollars of your money to put some clown on the moon?" So asked the great Tom Lehrer, pre-Neil Armstrong. "Well, it was good old American know-how, that's what. As provided by good old Americans like Dr. Wernher von Braun." The question now is, What made it possible to launch a 705-pound probe that took seven years to reach its destination and descend to the surface of Saturn's largest and most enigmatic moon, Titan? Well, as the Cassini-Huygens mission was a joint European-American one, we say good old Euro-American scientific know-how. On a less cheerful note, such achievements using unmanned technology yet again—"Spirit" and "Opportunity" are still roving about on Mars, a year after arriving—show up the failures of the International Space Station and the Shuttle, both of which were

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once intended to help hurl man into the void, but today appear to be white elephants.

■ Rose Mary Woods spent most of her adult life working for the man she most admired. She met Richard Nixon in 1947, when he was a freshman congressman. When he moved to the Senate in 1951, she joined his staff. She served him, in lean years and fat, until he resigned the presidency in 1974, and never sold her recollections thereafter. Dead at 87. R.I.P.

■ In Monopoly, the rich man is a mustachioed gent in striped pants and topper, who makes thousands of dollars buying real estate. Walter Wriston, chairman and CEO of Citibank, made billions for his company by discovering brand-new resources and techniques. He expanded the range of banking services, popularized ATMs, and hired women managers. He was bullish on loaning to Third World countries; during the Eighties blizzard of debt crises, he argued, with a bettor's cockiness, that most countries repaid in time. One of his many fliers was the Manhattan Institute, the New York think tank that reinvented conservatism for an urban audience. That investment has paid off handsomely, in clean streets and lower crime. Wriston, who died at 85, is commemorated in the annual Wriston Lecture the institute sponsors. R.I.P.

THE INAUGURAL SPEECH

Freedom's Address

PRESIDENT BUSH's foreign policy has been, roughly, neoconservative in its aggressively idealistic expression and realist in its practical application. At no time has the dichotomy been more evident than during his inaugural speech and its immediate aftermath. The speech was beautiful, achingly idealistic, and at times almost totally unrestrained in its ambitious sweep. Of course, its grander pronouncements were not meant to set forth day-to-day policy. When has an inaugural address, the prose-poem of American politics, ever served that function? But the misunderstanding of the press corps was such that administration officials had immediately to give background briefings to say, "No, we aren't going to cut off every undemocratic government on earth from relations with the United States."

Although the most ringing lines understandably won the headlines, Bush's speech contained many necessary qualifiers and caveats. His vision of democratic advance, he said, is "not primarily the task of arms." He stated that "freedom, by its nature, must be chosen" and in other countries will "reflect customs and traditions very different from our own." He stipulated that freedom's spread around the globe is "the concentrated work of generations." The emphasis wasn't placed on these lines, because no speechwriter is ever going to write an address declaring, "Prudence, that indispensable guide to all human action, that magnificent faculty given to us by God to fix our conduct, will determine how we gradually spread our ideals through an ever-shifting mixture of diplomacy, foreign aid and trade, moral suasion, and force of arms." But such is the true Bush policy (or what that policy tries to be).

The stirring pronouncements Bush made in his speech were firmly in the American tradition. Many of the lines could just as easily have been uttered by Truman, or JFK, or Reagan. American presidents since Wilson have almost all seen, or at least sold, U.S. foreign policy in idealistic terms of spreading freedom. The claims Bush made in the inaugural address about the God-granted dignity of the individual, the desirability of human freedom, and the American interest in the spread of benign government, are true. As Bush put it, the last four decades have been "defined by the swiftest advance of freedom ever." The U.S. has been at the head of that advance, and should stay there.

Yet it must be said that some of Bush's lines were too unmodulated to withstand a very close reading. "America's vital interests and our deepest beliefs are now one." Well, not quite. In the grubby world in which we actually live, no such total identification of our interests and ideals is possible. Our most vital interest is protecting the nation from another devastating terrorist attack (something the president declared to be his "most solemn duty"). That means, most fundamentally, killing and isolating Islamist fanatics, an imperative that must trump all others. We have military bases sprinkled through a range of nasty little Central Asian dictatorships—because having them there was so important to the war in Afghanistan. We eagerly prop up an authoritarian ruler in Pakistan who has displayed little or no interest in true liberalization, because he has been willing to chase and kill al-Qaeda members within his country. We have a close relationship to a Saudi regime that is the very picture of tyranny because it too is (after much arm-twisting) killing radicals in its country and, of course, because it has strategically crucial excess oil-production capacity.

"Success in our relations will require the decent treatment of their own people," Bush said of foreign governments. But success in our relations depends on many things, and in the hierarchy of strategic values human rights cannot always top the list. The government of Uzbekistan has been undisturbed in its repression, as it offers us those military bases. We tolerate Egypt's authoritarian regime—indeed subsidize it to the tune of $2 billion a year—because we want it to continue its cold peace with Israel. If China were to exert serious pressure on North Korea to give up its nuclear weapons, that surely would inform how insistently we push it to stop repressing its own people.

"Eventually," Bush declared, "the call of freedom comes to every mind and every soul." The qualifying word here is "eventually," since in some parts of the world this call has not come to mind in all of human history. In some places—Saudi Arabia, for instance—political legitimacy stems not from individual choices made in elections, but from kinship ties and religious authority. That will change only very slowly. And liberty is not the spontaneous product of human longing, but a function of institutional and legal arrangements, and habits, that must be carefully fostered.

"The survival of liberty in our land increasingly depends on the success of liberty in other lands," Bush said. In some of those lands, perhaps. But there are many countries of which it can be said that in no sense does American liberty depend on conditions there. Much of Africa languishes in unfreedom. Burma is lashed to a terrible tyranny. Tibet is brutally occupied. Haiti has never been decently governed. Bush's pronouncement is more defen-

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sible when it comes to, say, Afghanistan. But even there it is not freedom that is quite the issue—any Afghan government that does not harbor and support a terrorist group bent on killing thousands or millions of Americans, the way the Taliban did, is consistent with the survival of American liberty.

This is the nub: Spreading freedom is more strategically important in some areas than in others. Just as Reagan, when speaking broadly about the spread of freedom, had foremost in mind the dissolution of a Soviet empire that threatened the U.S., Bush is mainly concerned with bringing a measure of freedom to the Middle East. This is important for several reasons. First, to eliminate an axis of anti-Americanism and religious radicalism that has defined the region for the last two decades. Second, to isolate the al-Qaeda ideology. It must be defeated not just by military means, but by being politically discredited. We can't do that alone: Arabs and Muslims can make the case with more credibility than we can that radicalism is a dead end. Iraq is now at the forefront of this debate. Arrayed on one side are Allawi, Sistani, and other Iraqis who want to embrace aspects of modernity, such as democratic elections. On the other is the mad bomber and bin Laden acolyte Zarqawi, who opposes the legitimate aspirations of the Iraqi people. On this fight hinge both the immediate fate of freedom in the Middle East and U.S. security.

Let us return to the example of Reagan. He too spoke with passion about the spread of freedom around the globe and harbored unrealistic visions—in his case, the elimination of all nuclear weapons. As it turned out, he fell short of these dreams. For the most part, he "only" spread freedom to the Soviet empire and some of its Third World outposts. And in collapsing the Soviets, he "only" made the threat of nuclear armageddon a thing of the past instead of abolishing nuclear arms altogether. But in those accomplishments he made the world a better place and the U.S. safer. If Bush "only" begins to transform the Middle East, he too will have an honored place in the history books. And the debate over his inaugural speech will seem so much nit-picking.

WASHINGTON STATE

Try, Try Again

We have generally decried the recent trend toward attempts to settle elections after the fact in the courts. But the voting controversy in Washington State is a special case. As Byron York reports elsewhere in this issue, it is impossible to know who truly won the Washington gubernatorial race between Republican Dino Rossi and Democrat Christine Gregoire. Gregoire has just taken office, having overtaken Rossi in a second recount. Her winning margin: 129 votes out of 2.8 million votes cast. Rossi had won the initial post-election-day count by 261 votes, and the first machine recount by 42 votes. Throughout the process, Gregoire has been helped by the ability of heavily Democratic King County (home to Seattle) to produce new batches of uncounted votes, including 573 supposedly mistakenly disqualified ballots that gave Gregoire her winning margin.

Rossi has filed a contest of the election in state court, as allowed by the state constitution. (He chose not to pursue action in federal court using the fanciful equal-protection arguments that are the unfortunate spawn of *Bush* v. *Gore*.) The exact standard he will have to meet will be decided by the judge, but at the very least he will have to prove that the number of ballots accounted for by fraud, error, or illegal votes exceeds Gregoire's margin of victory. At 129, and with plenty of questionable ballots in King County alone, he should meet any reasonable test on this score. Then, the judge will have a number of remedies, including a statewide re-vote. That is the option favored by Rossi, who argues that the vote-counting process has been so chaotic and mishandled that no one can assume the governorship except under a debilitating cloud of doubt.

He is right. The painstaking precinct-by-precinct analysis of blogger Stefan Sharkansky at soundpolitics.com shows that in King County alone, there are 3,700 unaccounted-for ballots or voters. Some precincts have more ballots than voters, for a total of 2,900 "extra" ballots. Other precincts have more voters than ballots, for a total of 800 "extra" voters. These mystery voterless ballots and ballot-less votes obviously are enough in themselves to put Gregoire's 129-vote margin in serious doubt.

Other irregularities abound. The *Seattle Times* has reported that 129 felons voted in King and Pierce counties. At least 348 provisional ballots—which are supposed to be closely inspected to see if they are legitimate—were directly fed into machines and counted in King County. Some 55,000 optical-scan ballots (ballots on which the voter marks a bubble) in King County were "enhanced" so that the voters' supposed intent could be determined, with no uniform standard governing the process. Roughly 500 voters used the address of the King County Administration building as their home address.

This all makes for an irrecoverable mess that Kirby Wilbur and other Washington state talk-radio hosts, the *Wall Street Journal*'s John Fund, and above all Sharkansky have helped expose. Even Dean Logan, the Democratic director of elections in King County, when asked if we will ever know who got more votes, has said, "Statewide, you know I think that perhaps we'll never know the answer to that because of it being as close as it is."

There are reasonable grounds for considering a re-vote unwise. York advances a few of them in his article. What precedent would it set? But elections this razor-close are extremely rare, and re-votes have happened before. As Fund points out, North Carolina is about to have a statewide re-vote in an agriculture-commissioner race. The trend toward litigated election results is already well underway and there seems little chance of stopping it. It may be that Rossi will hurt his political future by seeming to be a sore loser in this race. But that judgment is for him to make. If he believes the principle of upholding the integrity of Washington's election process is more important than the political risk he runs, so be it.

There is, as many have noted, something to be said for finality in an election. We agree. But the only way to get it in this case is to tighten up procedures, and vote again.

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SOCIAL SECURITY

Fear Not

THE conventional wisdom has it that President Bush's Social Security reform is dead before it has even been proposed. Democrats are nearly united against personal accounts. Republicans are scattered. Some Republicans want personal accounts, but no future benefit cuts. There are Republicans who think that Bush is exaggerating the program's solvency problem. Others want tax reform to be combined with Social Security reform. Still others want no part of Social Security reform at all.

Bush's task is made harder by the fact that the media are not playing the issue straight. Having for years lectured us about the coming fiscal crunch from entitlements, the major newspapers are now minimizing the problem. They are pretending that we have no problem until the 2040s. The truth is that we have to find around $5.8 trillion before that time to pay Social Security's bills. President Bush is the only one around who is trying to figure out what to do about that problem. The media should be congratulating him. Instead, they are criticizing him and even inventing pseudo-scandals. Take the revelation in the *New York Times* that the Social Security Administration is considering an effort to explain the dimensions of the fiscal problem. This is an agency that, every year, sends all employed Americans a letter listing the benefits the program is supposedly going to give them. That amounts to a massive propaganda effort *against* reform. For the agency to explain that those benefits cannot be paid for is a step toward true neutrality.

Republicans should fight the misleading press coverage, but there is a limit to how much they can achieve on that front. If the press is not going to report the true dimensions of the program's fiscal problem, reformers should move to more favorable terrain. The case for reform is that the program is taking a lot of money from young people and will not be able to give them much in return. That is the fundamental case the Republicans should be making. President Bush has already begun to shift his emphasis. His inaugur-

Trading Up

WOULD you pay $2,000 today, to save $10,000 in 15 years' time? That question lies at the heart of the debate about financing Social Security reform.

President Bush's plan to create personal investment accounts for every worker has run into a snag over "transition costs." A transition cost is the price you have to pay to get from point A to point B. Establishing personal accounts will require about $2 trillion in government borrowing over the next 15 years, but once the accounts are in place, the government saves about $10 trillion in future obligations. Any private business with large pension obligations would approve such a refinancing plan in a heartbeat. The debt restructuring would substantially improve the firm's balance sheet, and the stock price would rise to reflect the improved long-term finances—despite the reduction in the firm's current cash flow.

Why doesn't Congress make this rational financial decision? Part of the answer is that government isn't run like a business. In fact, Uncle Sam doesn't use a balance sheet at all. This means that when the feds make promises to pay in the future—as with impending Social Security and Medicare obligations to baby boomers—those payments might as well be invisible to policymakers: They never show up in the accounting books.

Fortunately, Dr. John Templeton, the Pennsylvania-based philanthropist and public-policy entrepreneur, has devised a disarmingly simple method to blow through this government-accounting smokescreen. The Templeton Curve depicts two financial futures for Social Security. The first is the "do nothing" scenario in which we pretend the program is in fine shape and that only minor tinkering is required when baby boomers retire. If we choose that option, the program runs surpluses for another dozen years or so but hits the fiscal quicksand in 2018, after which it sinks deeper into debt each succeeding year.

The second option would be to create large personal investment accounts now, borrow to pay for them, and then let future workers draw their retirement incomes from these personal accounts, rather than conventional Social Security. In a previous NATIONAL REVIEW box (Dec. 13, 2004), we explained why workers would be substantially better off financially under this option. But the Templeton Curve shows why the *government* also comes out way ahead. Yes, it's true that the investment-account option, as proposed by Sen. John Sununu and Rep. Paul Ryan, requires lots of immediate borrowing, but then those debts turn into surpluses, which *increase* every year afterward. Starting in 2015, the returns from these accounts will begin to cancel out Social Security's benefit requirements. By 2040, nearly 40 percent of future obligations will be wiped clean, that figure rising to two-thirds by 2050.

The two paths produce diametrically different financial futures: The do-nothing approach yields deficits forever, while the personal-investment option produces surpluses forever. A tough choice?

The Templeton Curve teaches us that the short-term costs of Social Security reform are trivial relative to the long-term gain. The sooner we adopt the personal investment accounts, the better off our children's and grandchildren's financial future will be.

—STEPHEN MOORE

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al address said less about the program's finances than about the independence and wealth that personal accounts would provide to young people. If his presentation had a flaw, it was only that he presented the accounts more as an agent of moral transformation than as a tangible benefit.

But there is time to improve, and this is no time to despair. The onus now is on President Bush to provide a credible plan that allows today's young people to have a brighter retirement tomorrow, while signaling an openness to modify that plan in response to congressional sentiment. If a bill passes, the potential political downside seems limited. Congressional Republicans are fretting about the mixed political effects of the Medicare bill they passed in 2003. But these cases are not parallel. Senior citizens have been finding their drug coverage decreasing, and have blamed it on the bill. Any Social Security reform, on the other hand, is unlikely to impose any pain on anyone for many years to come. After a bill passes, seniors will be able to see that they had nothing to worry about. Only if Republicans fail to pass a bill will it be possible for Democrats to accuse them of trying to slash seniors' benefits. The true political interests of the congressional party militate in favor of passage. The choice for Republicans in Washington is whether to hang together, or separately.

notes & asides

■ Johnny Carson, R.I.P.

If Johnny Carson could have managed it, no doubt his death would have been a private affair. Who would have been invited to his memorial service? We don't know. That is the measure of his integrity as a private man. We don't even know how many of his ex-wives would have been invited, or would have come.

I was his guest a half-dozen times, and was always handled with great courtesy. He once confided to a critic that I was the only guest he had ever been frightened of. I don't know what the circumstances of that odd situation were, and the critic didn't pause to ask, and Johnny didn't elaborate. As far as I know.

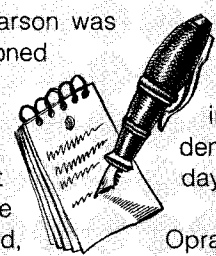
As I write these words a memory flashes up.

Scene: *The Tonight Show.* Guests: David Susskind and me (WFB).

David Susskind is widely forgotten, but he was a singular presence on television for about 20 years. He staked out the ultimate talk show (he called it *Open End*) by the simple expedient of making it endless. He would start out at 9 P.M., on Channel 13 in New York (this was before it had become a part of the educational network), with one or more guests, and just talk on & on into the night, sometimes not closing down the program until after midnight.

I was sometimes his guest, and he developed over several years an uncontainable sense of indignation . . . that I, and my views as expressed in NATIONAL REVIEW, should exist. At all. The hostility had come to something of a boil when Johnny Carson convened us for a joint appearance on *The Tonight Show.*

Susskind began with a minute-long pre-written, memorized excoriation, and Johnny asked me to reply. I remember that Susskind had misused two words, so I thought to concentrate my reply on his solecisms, rather than on his political views. Carson was hugely amused and beckoned Susskind back into the fray, whereupon Susskind denounced my "noxious" views. I said to Carson that Susskind didn't know the proper meaning of that word, Susskind shot back indignantly, "What is the proper meaning?" and I said, "I won't tell you." Johnny Carson was amused by everything, but I think he was especially amused that night, and on succeeding occasions when I was his guest, he would come into the Green Room before the program began to chat for a moment or two.



Never about politics, at least not directly. But since I was always there to try to bring attention to a book I had written, he would touch on the subject of the book, being careful not to suggest to me that he had actually read it. It was unprofessional for any guest to suppose that Johnny had actually plowed through the books written by his guests.

But there was an exception, and it taught me enduringly. The book was about a sailing trip I had taken across the Pacific Ocean. At the end of our eight to ten minute session he turned to the audience and said, "Now you people know there isn't any way I can read every word of every book I mention. But I want to show you how thoroughly I read *this* book." He opened his copy to the cameras and pointed out his own annotations on specimen pages. He told his ten million viewers: Go and buy this wonderful book.

I was not about to let the viewers get ahead of me and rushed from the studio to a pay telephone, dialing my publisher: He must order a mass printing, in anticipation of the avalanche of demand for the book the following day.

But Johnny's audience, unlike Oprah's, wasn't tuning in to decide what books to buy. They wanted entertainment, and they got it, not from the contents of books being promoted on *The Tonight Show*, but from conversation by Johnny, and incidentally his guests.

The last time around he said to me, "I'd like to schedule an entire hour with you." I dined that night with a friend, who brought along *Tonight*'s producer. I mentioned the suggestion. He replied, "The last thing Johnny Carson needs is you on his show for an entire hour."

He was almost certainly right, but it was a nice thought, and I thought Johnny Carson a nice man, and if it doesn't interrupt his privacy, I'll say it in public.

—WFB

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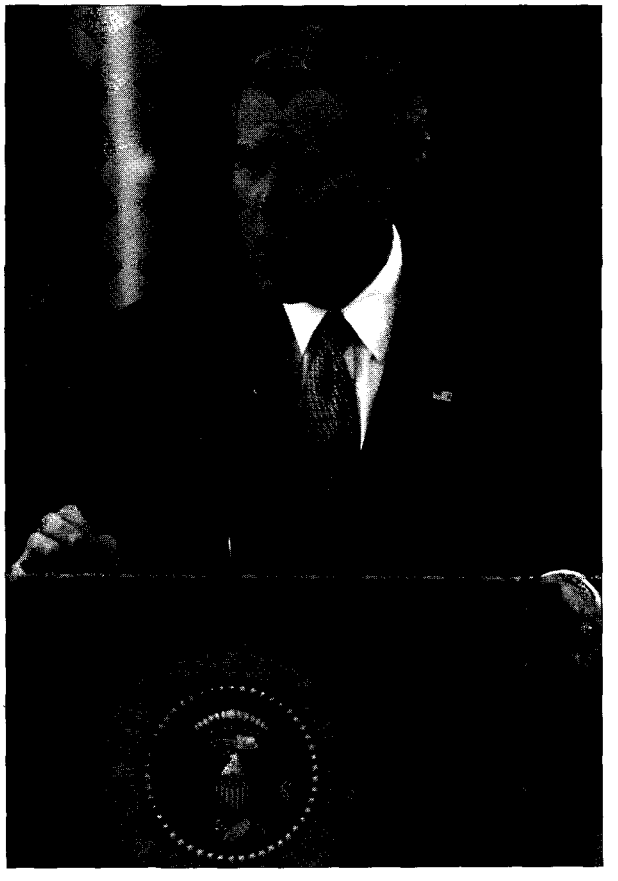

JASON REED/REUTERS

■ THE PRESIDENCY ■

A Certain Trumpet

Bush's second inaugural speech—and its critics

RAMESH PONNURU

PRESIDENT BUSH'S second inaugural address, whatever else you think of it, was interesting. We are debating what it meant, and we will be debating the questions it raised for some time. President Clinton's second inaugural address, in contrast, was forgotten as soon as it was delivered. The most memorable line of that speech held that "nothing big ever came from being small." That comment itself was evidence of smallness—whether of the man or the times or both, I will leave for others to decide.

The president's idealist critics, often liberals, fault Bush for hypocrisy. He spoke about promoting freedom around the world, they say, but he has acquiesced in repressive behavior when he considered it in America's interests. Bush's conservative critics, notably Peggy Noonan, fault him for rhetorical "inebriation" and utopianism. The universal freedom to which Bush aspires, they say, will not be reached this side of Heaven.

These critiques seem to come from opposite directions: Bush is doing too little to spread freedom, or threatening to do too much. What these critiques have in common is the view that if Bush takes his vaunted ideals seriously, he will have to sacrifice American national interests to serve them.

The critiques have run in the grooves of the old debate about idealism and realism in foreign policy. That debate is not only stale but somewhat empty. How many self-proclaimed idealists believe that America should stand for its principles without paying any heed to the costs or the likelihood of success? How many realists really think that American foreign policy can or should be conducted without reference to Americans' beliefs? President Bush is said to have converted from realism to idealism after September 11. But in his first inaugural address, he spoke of maintaining "a balance of power that favors freedom." He had already, in concept, transcended the opposition of idealism and realism by making a classic realist preoccupation the means to a classic idealist one.

A careful reading of Bush's second address suggests that both realist and idealist elements are still present in his administration's thinking. To almost every soaring statement of democratic idealism came attached a prudent qualifier. "Ending tyranny in our world," for instance, is our "ultimate goal." It is not our immediate goal, a distinction Bush underscores by also saying that the task is "the concentrated work of generations." Bush has no *a priori* commitment to maximalist means for attaining his ultimate goal: "This is not primarily the task of arms." He recognizes the finitude of American power: "America's influence is not unlimited, but, fortunately for the oppressed, America's influence is considerable, and we will use it confidently in freedom's cause." What is true of that sentence is true of the speech as a whole: The emphasis is on the benevolent possibilities of American power, but the cautionary note is there. The president never promises to pay *any* price and bear *any* burden in the pursuit of liberty.

Of course, it is the soaring statements that stick in the mind, which is why the president's aides had to call reporters in the days after the speech to remind them of the qualifiers. The foreign policy of the Bush administration, like that of any American administration, has been a mix of ideals and interests. But whatever regard Bush and his subordinates have for prudence and stability, they could hardly write an inspiring speech on those themes. Nor would it achieve any American interest to advertise that we are working to secure our interests. A presidential speech about prudence in foreign policy would be an imprudent speech.

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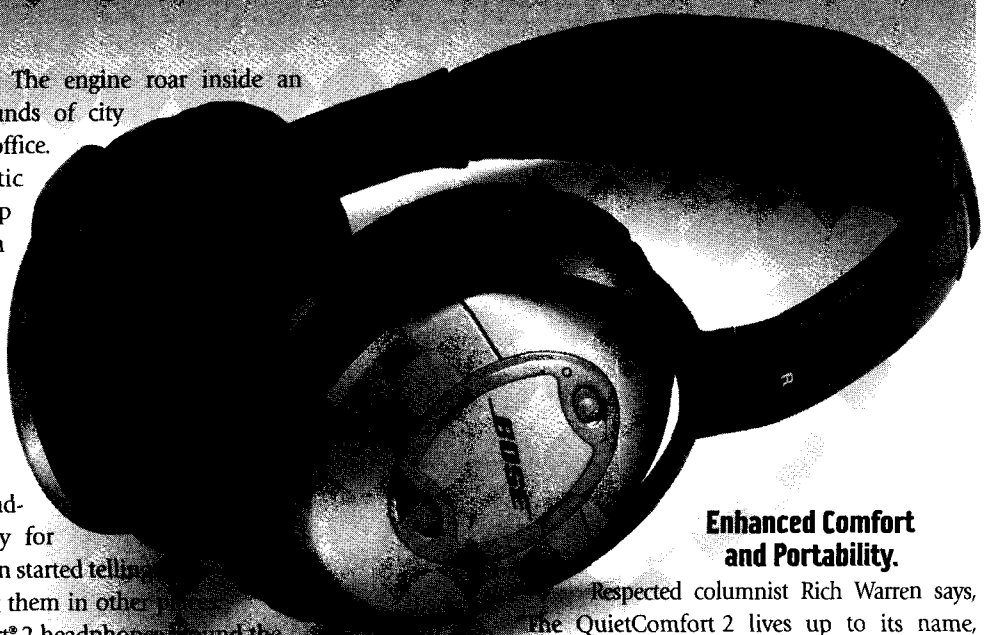

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The president's expansive statements, meanwhile, can be made compatible with a suitably enlightened and broad conception of national self-interest.

There are three things to remember here. The first is that at some level of generality, it is surely true that it serves Americans' interests for more nations to be mature liberal democracies. It is very difficult for us to bring liberty to lands that have not known it, and the attempt can sometimes backfire. Our judgment of the potential risks and rewards will vary with the case. But if we decide not to try to help liberty take root in some other country, it will be because of a specific judgment of the circumstances—not because we doubt that it would be a good thing for us if that country were to become a mature liberal democracy. Almost nobody, I think, controverts this modest claim.

The second thing to remember is that some aspiration toward universal liberty has always been implicit in the American project. The first of the *Federalist Papers* suggests that if America succeeds it will be to the general fortune of mankind: It will be proven that "societies of men are really capable . . . of establishing good government from reflection and choice," and are not "forever destined to depend for their political constitutions on accident and force." America would be an example; today, we would say that it would exercise "soft power." Even John Quincy Adams, in that famous remark about America's not going "abroad in search of monsters to destroy" and being "the champion and vindicator only of her own" freedom, notes that it is also a "well-wisher to the freedom and independence of all."

The third is that our general stance toward the promotion of liberty in the world must change with our circumstances. George Washington's Farewell Address warned against "permanent alliances." He said that we should have "as little political connection as possible" with "foreign nations." John Quincy Adams, three decades later, provided a gloss: "I can not overlook the reflection that the counsel of Washington in that instance, like all the counsels of wisdom, was founded upon the circumstances in which our country and the world around us were situated at the time when it was given." Adams went on to say that the circumstances of his own day dictated relative disengagement from Europe and engagement with South America.

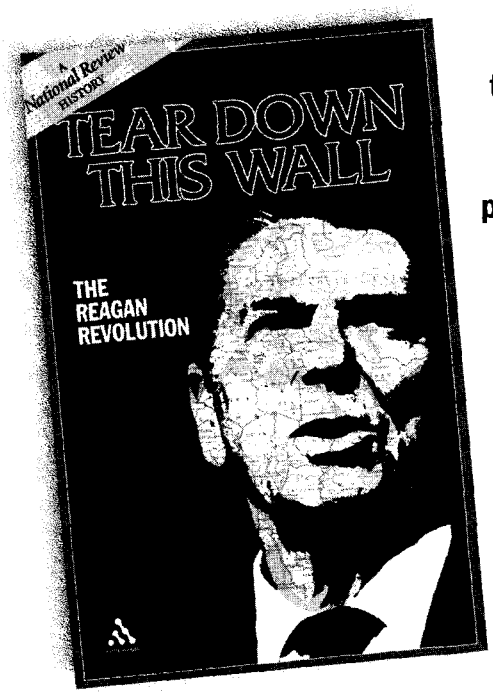
President Bush's attitude toward the promotion of liberty is a response to two contemporary circumstances. The first circumstance is that the circle of liberal democracies has been widening, and widening quickly. We have lived through "four decades defined by the swiftest advance of freedom ever seen." We cannot say for sure that by 2100 there will be no tyranny in the world like that in North Korea, Cuba, and Syria today. But it is not crazy to think that totalitarianism might be extinct by that date. It is not the utopian vision it seemed only 20 years ago.

The second circumstance is that the democratizing trend has largely left the Middle East behind, and that its laggardliness appears to be generating serious problems for the United States. Bush is, presumably, alluding to the war on terrorism (and to North Korea) when he says, "The survival of liberty in our land increasingly depends on the success of liberty in other lands." Bush's recognition of these new historical possibilities—and new geopolitical necessities—is his contribution to this country's tradition of democratic idealism. These new circumstances lead him to think, reasonably, that America should bring the promotion of liberty near the top of our list of foreign-policy priorities.

That is not, again, to say that it is wise to try to spread freedom under all circumstances. Bush's idealist critics seem to think that any refusal by him to push for democratization amounts to a betrayal of his rhetoric and renders his speech meaningless. What does it mean, they ask, for the president to say he will stand with dissidents if his stand consists only of his words?

The words of the president of the United States are no small thing. They can provide comfort and confidence to people suffering under regimes that claim to have a monopoly on truth, by confirming that the official truths are really lies and do not command universal assent. They matter in other ways too. Nobody thought that it meant nothing when Ronald Reagan denounced the Soviet Union as an evil empire or rejected the idea of "peaceful

NR on RR



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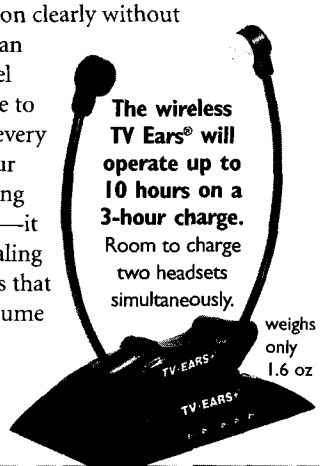

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co-existence" with Communism. These words were not rendered meaningless by his failure to launch a military campaign to overthrow the Soviet regime as soon as he had uttered them.

Bush's words will constrain his own actions. The next time he meets with Vladimir Putin of Russia, he will have to press him on democratic reform, or risk having his own words flung back in his face. One assumes that Bush was aware of this risk, and thought it worth taking.

Bush may not, however, have provided quite enough room for prudence. In his dealings with Pakistan, with Russia, with China, with Saudi Arabia, pushing for democratic reform may have salutary effects. Or it may not. The danger that American efforts at democratization will lead to elected (or unelected) Islamist governments, to reduced cooperation in the war on terrorism, or to other unfortunate consequences is very real. The president, by issuing the rhetoric he has on an occasion as well-publicized as his inaugural, may have constrained himself too much.

There is another cause for concern. This is not an administration that speaks with one voice or acts with one purpose on foreign policy—even when that voice and that purpose are those of the president. Bush can say something about Iran, or Taiwan, only to be contradicted in public by an assistant secretary of state a few days later. His State and Defense Departments can squabble endlessly, and Bush either cannot or will not stop them, even during a shooting war. One sometimes gets the impression from this cacophony that Bush's big set-piece speeches are acts of communication with his own administration as much as between his administration and the public. On this reading, Bush intends his speech to convey to a recalcitrant bureaucracy the message that all his previous paeans to democratization were for real.

One can easily see how Bush's speech could strengthen the hand of those members of his administration who share his commitments. That such an intervention is necessary is rather disquieting. And it is not inevitable that the message will even get through. But anyone who reads Bush's speech will find that it is more defensible—and more interesting—than any of the critiques. **NR**

■ **THE PRESIDENCY II**

Ready or Not

Dangers of the second Bush term

DAVID FRUM

THIS is the presidency of living dangerously. George W. Bush has dared more, done more, and risked more than any president since Ronald Reagan's first term. Now in this second term, when most presidents take it easier, Bush is upping the ante again. That is impressive. It is also worrisome—because this administration is failing to take many necessary precautions to protect itself against the risks for which it is volunteering.

Over the past few weeks, Washington has filled up with happy Republicans celebrating the second inaugural. They have seen parties, and musical entertainment, and fireworks. We permanent residents enjoy the fun as much as anyone. But we are also seeing dangers ahead.

The first danger is the continuing threat to this administration from within. Leaked story after leaked story buffeted the administration during the election campaign—and since Election Day, the pace has if anything picked up. Seymour Hersh and *The New Yorker* printed a story about covert operations inside Iran sourced to past and present CIA officials; Barton Gellman in the *Washington Post* whooped up a new clandestine-intelligence operation inside the Pentagon. Unlike Hersh's, Gellman's story did not expose details of any ongoing operations. But it did make clear that much of the national-security apparatus remains so implacably opposed to President Bush that it is willing to leak secrets to stop him.

The mentality of much of the CIA was splendidly summed up last month by A. B. Krongard, who served from 1998 to 2004 as the Agency's number three. "You can make the argument that we're better off" with bin Laden at large, Krongard told the London *Times*. Michael Scheuer, the former head of the CIA's bin Laden unit, also makes an argument that implies that the U.S. would do better to abandon the whole War on Terror. In his view, Islamic terror is an understandable response to Western provocations. The surest way to bring terror to an end, according to Scheuer, is to find out what the Islamic world wants and give it to them.

New CIA chief Porter Goss does seem to be doing an effective cull of the agency's defeatists, appeasers, and time-servers. But they are not going quietly—and they seem determined to inflict maximum damage on the way out.

That damage has been intensified by the second danger ahead: the escalating cost of the administration's inability to make an effective case for itself at home and abroad. The Bush administration excels in making big, eloquent speeches—like the second inaugural—that present its goals in broad, abstract terms. It is not so eager to offer details about the means by which it will achieve those goals.

This mismatch makes it possible for critics to accuse the administration of failing to think things through. And the same mismatch makes it difficult for defenders of the administration to rebut those accusations. We have heard the administration's strategy and we can see its tactics, but it is often difficult to figure out the connection between the two.

This difficulty will loom larger than ever in term two. As the emotions of 9/11 fade, the job of sustaining public and congressional commitment to the War on Terror will get harder and harder. Yet the administration still seems weirdly reluctant to explain or defend itself. Which means that the president continues to fall victim to his own shrewd rule: "In politics, you either define yourself—or you get defined."

Another danger ahead is the administration's often careless approach to staffing. "Personnel is policy": That was the motto of the Reagan years, and it remains as true as ever. The Bush administration can be terrifyingly casual on personnel decisions, making hiring decisions almost without regard to the ideology and values of the people upon whom it confers power. Continue that approach, and sooner or later you find yourself in the same situation as the Bush 41 administration, in which one aide famously quipped: "Our people don't have agendas; they have mortgages."

The trend toward replacing believers

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About Your Professor

Bart D. Ehrman is the James A. Gray Professor and Chair of the Department of Religious Studies at The University of North Carolina at Chapel Hill. He received his Masters of Divinity and Ph.D. from Princeton Theological Seminary. He has won several teaching awards, including the Students' Undergraduate Teaching Award and the Bowman and Gordon Gray Award for Excellence in Teaching. Professor Ehrman has written or edited 12 books.

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with time-servers is already advancing over at Condoleezza Rice's State Department, and there is reason to fear its spread over the rest of the government as well. If an elected administration is not consciously running the government to achieve its purposes, then the government is running the administration. That has not yet happened to the Bush administration, but it is coming closer all the time.

Perhaps the most serious of all the dangers, though, is the danger of poor policy coordination. I know that sounds like a topic only a poli-sci prof could care about—and so it is, until it goes wrong. Then everybody in the country begins to ask: Who is running this government?

You often hear it said, for example, that there was no plan for postwar Iraq. The truth is worse: There were two plans or possibly even three. Crucial decisions simply went unmade—and even now, crucial decisions about other potential crises continue to go unmade. It's the job of the National Security Council to force decisions and then enforce them upon agencies, but that essential job has often gone undone over the past four years. On the domestic side, too, contending views seem often to be mushed together into an unsatisfactory jumble—as happened, for example, with the president's energy plan of 2001.

This danger likewise may get worse in term two. In term one, the NSC was headed by a friend and confidant of the president. This term, that friend is moving over to State. Some hope and others fear that she will impose the president's wishes upon the department. But it could well happen that it is instead the department that ends up converting her. And in that case, the new national security adviser, who is not nearly as personally close to the president, may hesitate to resist. Relative to the CIA, State, and Defense departments, the first Bush NSC was the weakest in a generation. The second may be weaker still.

It's not too late to address these dangers. But they can't be fixed until they are acknowledged. It's always hard for a triumphantly re-elected administration to accept that all is not perfect. It may be harder for this administration than for most. But these weaknesses are real. And if they are not fixed now, they will exact their toll later. **NR**

■ **HIGHER EDUCATION**

Summers Storm

A feminist show trial at Harvard

CHRISTINA HOFF SOMMERS

In the course of an informal, off-the-record talk before a group of academics, Lawrence Summers, president of Harvard University, unwittingly touched the third rail of university politics: He speculated that innate differences between the sexes might be one reason there are fewer women than men at the highest echelons of math and science. That gender is "socially constructed" by the patriarchy is a not-to-be-questioned tenet of campus ideology. And here was Summers daring to raise doubts about it.

Camille Paglia, University Professor of Humanities and Media Studies at the University of the Arts in Philadelphia, describes the intellectual climate of today's academy: "Rigid social constructionism so remains the dominant dogma in American humanities and social-sciences departments that to question it even an iota brings the thought police out in shrieking mobs to your door." Now the mobs, in full cry, are after the president of Harvard University.

The conference at which Summers spoke was organized by the National Bureau of Economic Research. While many members of the audience found his remarks measured and thought-provoking, a few were deeply offended that he entertained the idea that natural differences between men and women played a role in career paths. "I felt I was going to be sick," said MIT biologist and feminist activist Nancy Hopkins. "My heart was pounding and my breath was shallow. I was extremely upset." Professor Hopkins fled the room before Summers finished speaking and would soon be reporting her wrenching experience to the *Boston Globe*.

Also in attendance was Denice Denton, the dean of engineering at the University of Washington who is about to become chancellor of the University of California, Santa Cruz. Summers infuriated Denton by daring to speak as he did before a group of "the country's most accomplished scholars on women's issues." His remarks, she said, have provoked an "intellectual tsunami." Unlike Hopkins, she stayed in the room to argue with Summers, reporting proudly that she "spoke truth to power."

Denton says that her phone has not stopped ringing and e-mails are flying. She and her sisters-in-arms are working hard and successfully to keep their tsunami going. They seem to be hoping that it will do for gender bias in the academy what the Anita Hill/Clarence Thomas episode did for sexual harassment in the workplace. But Hopkins, Denton, and their supporters have already come in for their share of public criticism. There has been a spate of articles and opinion pieces in the *New York Times*, the *Washington Post*, and other venues expressing strong disapproval of their tactics and of their benighted opposition to all discussion of innateness. Even *Today Show* host Katie Couric found it hard to understand why Hopkins had rushed out of the room. Couric asked her pointedly: "Well, did anyone question him and challenge him? It's not like you are all shrinking violets, after all."

All the public disapproval, however, has little effect inside the universities—where any perceived slight to "inclusiveness" provokes organized and sustained outrage. Summers is in serious trouble and he knows it. Outsiders may be jeering at Hopkins and Denton, but the galvanized Harvard Faculty of Arts and Sciences' Standing Committee on Women has sent Summers a sharp letter of censure; alumnae are threatening to suspend donations; students are mobilized and Summers has been barraged by protests from distraught Harvard co-eds who say they feel betrayed and diminished by his words. Thea Daniels, a 21-year-old sociology major, told the *New York Times*, "It's disconcert-

Christina Hoff Sommers is a resident scholar at the American Enterprise Institute. Her new book, *One Nation Under Therapy*, co-authored with Sally Satel, will be published this spring.

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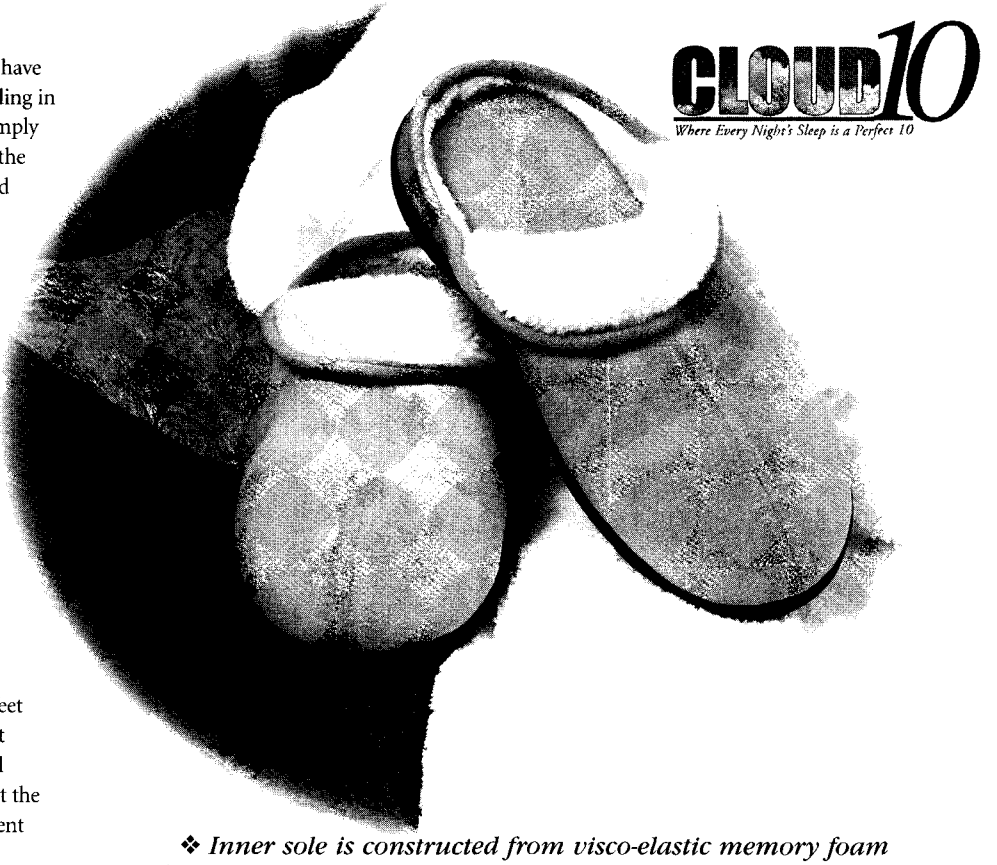
Relaxation therapy for your feet

Visco-elastic foam has changed the way people sleep, now it helps the way you walk.

by Leigh Ligon

My feet hurt! How many times have you heard *or* said that…standing in line at the grocery store or simply while doing daily routine tasks? I feel like the older I get the more my feet ache. I've tried elevating my feet, soaking them in a hot water and expensive massage therapy—but to no avail. That's why I'm so excited to tell you about my recent discovery—CLOUD 10 Slippers!



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Did you know that the average person takes 8,000 to 10,000 steps a day, which adds up to about 115,000 miles over a lifetime? That's enough to go around the circumference of the earth four times. No wonder we all have tired, aching feet.

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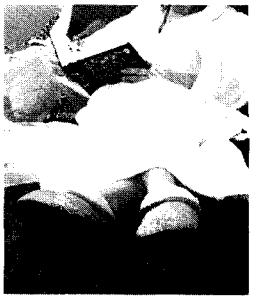

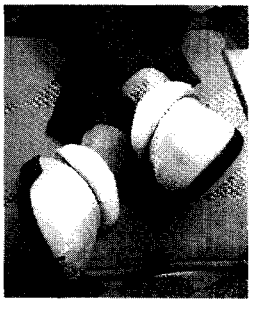

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ing that the man who is supposed to have your best interest in mind and is the leader of your education community thinks less of us." More than 100 of the 600 professors in Harvard's Faculty of Arts and Sciences have signed the letter of reprimand sent by the Standing Committee on Women.

Transcripts of Summers's talk are unavailable; but, by most accounts, his comments were little more than a review of some well-known and scientifically reputable explanations for the paucity of women in top academic positions in math and science. He mentioned discrimination as one likely factor. But he also noted that, cross-culturally, more men than women score at the very top in math aptitude tests; and he referred to the literature on innate male/female differences in abilities and preferences. Men appear to have an inborn advantage when it comes to spatial-reasoning skills. They are more adept at rotating three-dimensional geometric figures in their minds and they perform better on spatial-manipulation tests. Of course, any number of women have exceptional abilities in spatial reasoning; we are talking only about averages. Nothing Summers said was a threat to the advancement of a single woman in any of the sciences. The statistical fact that more men tend to score in the top 5 percent makes no predictions about the abilities of any particular man or woman.

Women, on the other hand, tend to have better verbal skills. It has long been known that girls begin talking earlier and that speech and reading disorders such as dyslexia are more common in men. On most national assessment tests, women are well ahead of men in reading and writing. Is it really so heretical to entertain the hypothesis that there may be forces other than sexism at work that explain why there are more women majoring in English literature and more men in electrical engineering?

There are several other differences in which genes appear to be implicated: Men are greater risk-takers, women are more nurturing. Boys like action, competitive roughhousing, and inanimate objects, and they are far less likely than girls to talk about their feelings. The male tendency to be competitive, risk-loving, more narrowly focused, and less concerned with feelings has consequences in the real world. It could explain why there are more men at the extremes of success and failure: more male CEOs, more males in maximum-security prisons.

If differences in male and female proclivities and preferences were purely the effects of socialization, one would expect to find some societies in which the traits were reversed. But the entire anthropological record offers not a single notable example of a society in which women have better spatial-reasoning skills and men the better verbal skills; in which females are fixated on objects and how to manipulate them and men on feelings and sensibilities.

Lawrence Summers

PICTURE DESK PHOTOS

Summers's mistake was to think he could talk freely about gender issues on which campus ideologues have staked out very definite positions. He had been assured that the talk was merely for provoking discussion and that it was to be off the record. But by entertaining the hypothesis of innateness, before an audience with a fair number of gender-is-a-social-construction dogmatists, he left himself vulnerable to a feminist attack. Now he has been forced to recant and atone. He has apologized not once but three times. "I was wrong to have spoken in a way that has resulted in an unintended signal of discouragement to talented girls and women." Harvard professor Ruth Wisse has compared him to a prisoner in a Soviet show trial.

But of course Lawrence Summers is not a prisoner in a closed society. He is a powerful, intelligent man in an important leadership position, with a well-deserved reputation for being independent and courageous. It is in fact quite uncharacteristic for him to behave as he has. That he feels constrained to do so attests to the inordinate political power of the gender warriors on American campuses.

Instead of apologizing, Summers should have considered sending the Harvard Faculty Standing Committee on Women copies of John Stuart Mill's *On Liberty*, with the suggestion that they read it carefully and take its teachings on open discussion to heart. As for those in his audience who style themselves "the country's most accomplished scholars on women's issues," he should refer them to some elementary texts on the canons of scientific evidence.

Some Harvard faculty members have come to Summers's defense. The linguist/psychologist Steven Pinker told the *Harvard Crimson* that anyone who would rush out of a room at the mention of an idea or who declares certain ideas taboo without giving argument "doesn't get the concept of a university." By contrast, Howard Gardner, a professor in the Harvard Graduate School of Education, seems completely resigned to playing by the censors' rules. While acknowledging to the *Crimson* that Summers was within the pale of legitimate scientific discourse, he said, "If he wanted to make these remarks publicly, it would pay him to run them by some colleagues—including people like me—to reduce the chance that he would be misunderstood. I would have advised him to have spoken from a written text." One hopes that Harvard has more Pinkers than Gardners. But the truth is that academics are not known for their intellectual courage. They tend to run for cover—leaving freedom of discussion to fend for itself.

Former astronaut and professor of space science Sally Ride co-signed a letter to the *New York Times* (with 99 other academics and scientists) asserting that Summers's remarks "had created a 'teachable moment' for greater public awareness of the need to advance women in science." It is, indeed, a teachable moment—but not about how to get more women onto the science faculties. It's an occasion to learn the sobering lesson about the low estate of intellectual freedom in the American academy today. **NR**

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■ THE WORLD

WHO's to Blame?

The tsunami's aftermath

ROGER BATE

Galle, Sri Lanka

THE last time I was here in Galle, England had just played a great cricket match against the Sri Lankans, the local economy was bustling, and the great threat—from the Tamil Tiger rebels—was losing its force. But today, the cricket pitch lacks a single blade of grass, the economy is in tatters, and there are over 31,000 dead from the tsunami. The only things that remains the same in this southern port—75 miles southeast of Colombo—are the heat and humidity. One alarming new difference is that malaria is back, and is poised to strike down still more of the children, many orphaned, of this wretched place. It can be stopped, but only if ill-informed prejudice against DDT, the insecticide, is dropped.

As I fly over the port, I think the devastation does not look as bad as the pictures I've seen of Banda Aceh, Indonesia, which Secretary of State Colin Powell described as resembling the aftermath of a nuclear explosion. But Galle is still a terrible mess. Though Aceh, as the worst-affected region, is rightly getting most of the attention, private-aid groups have acted swiftly in Galle as well. Thanks to their food drops and water provisions, its inhabitants have managed to survive the immediate aftershocks of the tsunami's devastations. But the malaria-control program is being compromised by outdated thinking, especially from the world's leading health and government-aid agencies.

The prime example of their folly is found in a paper, "Malaria Risk and Malaria Control in Asian Countries Affected by the Tsunami," in which the World Health Organization (WHO) outlines its policy for the affected region. While a relatively sound document, it does perpetuate mistakes, which are then copied by everyone else operating in Sri Lanka and the rest of Asia.

In Sri Lanka, malaria is transmitted by the female *anopheles culcifacies* mosquito. The species breeds in rock pools and rice fields, and is a fairly efficient vector of the disease. Historically, the primary method of malaria control has been Indoor Residual Spraying (IRS)—the spraying of house walls with tiny amounts of an insecticide, usually DDT. IRS often kills mosquitoes, but more important, it creates a barrier between man and mosquito. Studies show the vast majority of mosquitoes won't enter a DDT-sprayed building, and this chemical barrier prevents transmission of the disease, much as prophylactic drugs or bed nets do, but more cheaply. Such an approach was highly successful in Sri Lanka. Owing to DDT, malaria rates fell from three million cases a year in the 1940s to fewer than 50 in 1963.

But then environmental pressures against DDT led to its abandonment, first in Western countries and then in most other parts of the world. Although it was obvious that it was the massive use of DDT in farming, not the small amounts used in public-health applications, that caused the environmental problems, the issue of scale was ignored by policymakers.

Aid agencies' failure to fund DDT was not the only problem. Studies showed that Sri Lankan mosquitoes may be developing resistance to DDT, which meant that some of them would not be killed by the insecticide. Even the WHO report says Sri Lanka's malaria vectors have been considered DDT-resistant for many years. But DDT's main role is as a repellent, not as a toxic agent. Houses sprayed with DDT repel far more mosquitoes than any other insecticide tested and so remain effective even when resistance is substantial. This information, although known by health entomologists, is ignored by the WHO, which has adopted the anti-DDT environmentalist agenda. The WHO advises using alternative insecticides—although the organization buys precious few even of these.

The organization spent the vast majority of its $980,000 Sri Lankan tsunami-related resources on bed nets (about $780,000), and about $100,000 on spraying of the organophosphate insecticide Malathion (often used to combat West Nile Virus-carrying mosquitoes). Unfortunately, this Malathion spraying is not the most effective indoor variety—the kind in which one spray provides months of protection—but rather the kind known as "fogging": the external spraying of a cloud of insecticide to kill adult mosquitoes. Even the WHO admits that fogging is not a very useful approach. It does, however, look good on TV, and demonstrates that action is taking place.

The WHO is also supplying about $70,000 of old drugs, and pharmaceutical company Novartis has donated over $40,000 worth of its new anti-malarial drug, Coartem, which has zero failure rate in Sri Lanka. (The old drugs still just about work, although the oldest, chloroquine, is losing its efficacy in Sri Lanka, and should not really have been purchased by WHO.) WHO actors on the ground, along with other aid-agency personnel, are doing the best they can, but they are hampered by an official policy that is harmful. Unfortunately, to speak out against it is to risk one's job, so criticisms rarely occur. The cost can be measured in Sri Lankan lives lost.

Though Janaka Tillakeratne lost his café to the tsunami, he has kept his family safe and free from major disease. But he has no bed nets for his family and would like his house to be sprayed to lower his children's risk of disease, be it malaria or dengue or any other fevers spread by bugs thriving in the post-tsunami chaos; but extensive indoor spraying won't be happening any time soon. As I left for the airport he smiled and told me to come back and watch some cricket here again. "Perhaps in a year when the pitch is repaired," he said. "And make sure you buy produce from my new shop," which he is already planning. I walked back and handed him my remaining supply of Coartem; it was the least I could do.

The tragedy of the tsunami is obvious and it was largely unavoidable. But malaria deaths could be significantly reduced if only health agencies would do the politically incorrect—but morally correct—thing and spray DDT and other long-term insecticides. If this disaster doesn't persuade them to change, nothing will. **NR**

Mr. Bate is a health economist with Africa Fighting Malaria and a fellow at the American Enterprise Institute.

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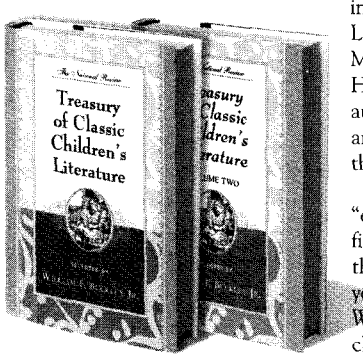

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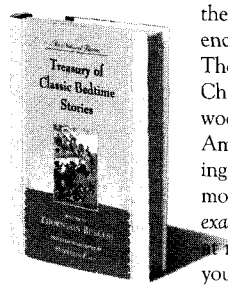

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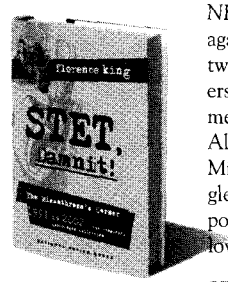

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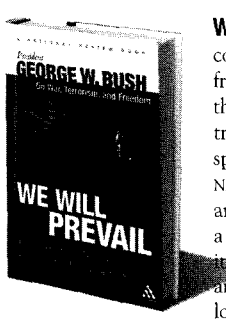

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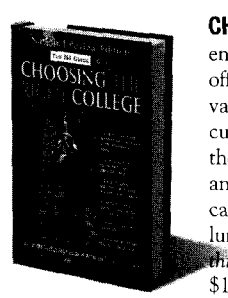

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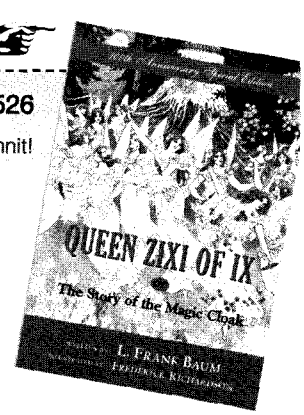

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■ ESSAY

But Is It Science?

The war over 'intelligent design'

JOHN DERBYSHIRE

THIS year contains two notable scientific anniversaries. The one most widely mentioned is the centenary of Albert Einstein's three trailblazing papers in the German scientific journal *Annalen der Physik* on the nature of matter, energy, and motion. Those papers opened up broad new territories for exploration by physicists. The discoveries that followed, and the technology that flowed from those discoveries, helped shape the whole 20th century. Radiation therapy and nuclear weapons, the laser and the personal computer, global positioning satellites and fiber-optic cables—all trace at least part of their lineage to Einstein's papers. The 20th century was the Age of Physics. The first quarter of that century—when dramatic discoveries in the field were coming thick and fast, with theory racing to keep up—was a wonderfully exciting time to be a young physicist.

It seems to me that we are passing from the Age of Physics to the Age of Biology. It is not quite the case that nothing is happening in physics, but certainly there is nothing like the excitement of the early 20th century. Physics seems, in fact, to have got itself into a cul-de-sac, obsessing over theories so mathematically abstruse that nobody even knows how to test them.

The life sciences, by contrast, are blooming, with major new results coming in all the time from genetics, zoology, demography, biochemistry, neuroscience, psychometrics, and other "hot" disciplines. The physics building may be hushed and dark while its inhabitants mentally wrestle with 26-dimensional manifolds, but over at biology the joint is jumpin'. A gifted and ambitious young person of scientific inclination would be well advised to try for a career researching in the life sciences. There is, as one such youngster said to me recently, a lot of low-hanging fruit to be picked. Charles Murray, in his elegant *New York Times* op-ed piece on the Larry Summers flap (for more on which, see Christina Hoff Sommers elsewhere in this issue), wrote of the "vibrancy and excitement" of scholarship about innate male-female differences, in contrast to the stale, repetitive nature of research seeking environmental sources for those differences. Sell sociology, buy biology.

This fizzing vitality in the life sciences is, as Larry Summers learned, very unsettling to the guardians of political correctness. It is at least as disturbing to some Biblical fundamentalists, which brings me to this year's second scientific anniversary. The famous "monkey trial" in Dayton, Tenn., happened 80 years ago this summer. John Scopes, a young schoolteacher, was found guilty of violating a state statute forbidding the teaching of evolution theory. Well, well, the wheel turns, and the other day I found myself looking at a newspaper headline that read: "Pa. School Board at the Center of Evolution Debate." The story concerned the town of Dover, Pa., which was sued by the ACLU in federal court at the end of last year over its incorporation of "intelligent design" (I.D.) arguments in the public-school biology curriculum.

The physics building may be hushed and dark while its inhabitants mentally wrestle with 26-dimensional manifolds, but over at biology the joint is jumpin'.

It is odd to be reminded that I.D. is still around. I had written it off as a 1990s fad infecting religious and metaphysical circles, not really touching on science at all, since it framed no hypotheses that could be tested experimentally. The greater part of I.D. is just negative, a critique of the standard model of evolution by natural selection, in which random mutations that add to an organism's chances of survival and reproduction lead to divergences of form and function and eventually to new species. This theory, said I.D. proponents such as Phillip E. Johnson (*Darwin on Trial*, 1991), Michael J. Behe (*Darwin's Black Box*, 1996), and William A. Dembski (*The Design Inference*, 1998), is full of conundrums and unexplained gaps—the mechanisms of mutation, for instance, are poorly understood.

Biologists are not much impressed with this critique, since conundrums and gaps are normal features of scientific theories. Atomic theory was in considerably worse shape in this regard when Einstein published his three great papers. A few decades of research clarified matters to the point where the theory's practical applicability and predictive value could revolutionize human existence. Nor are scientists much impressed by the facts of Behe's being a biochemist and Dembski's having done postgraduate work in math and physics. (Johnson is a lawyer.) This just recalls Newton's fascination with alchemy and Kepler's work on the Music of the Spheres. Scientists have all sorts of quirky off-duty obsessions.

And I.D. was always off-duty. Scientifically credentialed I.D.-ers have been reluctant to submit their theories to peer review. Kenneth R. Miller, a professor of biology at Brown University and a critic of I.D., wonders why Behe has never presented his ideas to the annual conference of the American Society for Biochemistry and Molecular Biology, as is his right as a member. As Miller explained, "If I thought I had an idea that would completely revolutionize cell biology in the same way that Professor Behe thinks he has an idea that would revolutionize biochemistry, I would be talking about that idea at every single meeting of my peers I could possibly get to." Dembski likewise declines to publicize his research through peer-review conferences and journals. His explanation: "I find I can actually get the turnaround faster by writing a book and getting the ideas expressed there. My books sell well. I get a royalty. And the

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material gets read more." Ah.

It is not surprising that most working scientists turn away from I.D. with a smile and a shrug. Phillip Johnson, in a 1992 lecture, predicted that Darwinism would "soon" be thoroughly discredited, leading to a "paradigm shift" and a whole new view of biology. Thirteen years later there is not the faintest trace of a sign that anything like this is going to happen. To the contrary, the fired-up young biologists who will revolutionize our lives in these coming decades take the standard evolutionary model for granted, not only because it is an elegant and parsimonious theory, but because I.D. promises them nothing—no reproducible results, no research leads, no fortune-making discoveries in genomics or neuroscience.

If the science of I.D. is a joke, the theology is little better. Its principal characteristic is a flat-footed poverty of imagination. "Don't eff the Ineffable," went the sergeant-major's injunction against blasphemy. With a different reading having nothing to do with blasphemy, effing the Ineffable—what A. N. Whitehead called "misplaced concreteness"—is exactly what the I.D.-ers are up to. Their God is a science-fiction God, a high-I.Q. space alien plodding along a decade or two ahead of our understanding. The God of Judaism and Christianity is infinitely vaster and stranger than that, and far above our poking, groping inquiries into the furniture of our rocky little daytime cosmos. His nature and deeds are as remote from our comprehension as, to quote Darwin himself on this precise point, Newton's laws are from a dog's. The prophet Isaiah held the same opinion: "For my thoughts are not your thoughts, neither are your ways my ways, saith the Lord. For as the heavens are higher than the earth, so are my ways higher than your ways, and my thoughts than your thoughts."

I.D. had its little hour in the spotlight of public curiosity, and will linger on for a while among those who cannot bear the thought that living tissue might be a part of the natural universe, under natural laws. Neither science nor religion ever had much use for I.D. Both will proceed happily on their ways without it. **NR**

■ **PEOPLE**

Heeeeere's . . .

Remembering a late-night legend

ROB LONG

In a box, somewhere in my house, I have a picture of me and Johnny Carson on the set of the old *Tonight* show. We're standing affably side-by-side, me grinning like an idiot, him with lips pursed in a patient half-smile. We look like a rich uncle and a mildly retarded nephew, meeting awkwardly for the first time. Which in a way we were.

I was then a mid-level writer on the long-running television comedy *Cheers*, and Johnny had agreed to appear on an episode of the show. So we all trooped over the hill from Hollywood to Burbank—pretty much all of us who worked on the show, even those who, like me, had only the thinnest of reasons for doing so—and stood around in sheepish, clumsy little groupings as Johnny did his scenes, punched up our lines, asked a couple of vague questions, and posed for photographs.

At one point during the shoot, I found myself alone next to him at a small bank of video monitors.

Traditionally, this is the moment during a Hollywood anecdote when something touching or hilarious or meaningful is said, when wisdom is imparted, when insight is gained. What was supposed to happen, in my mind anyway (I was 27 at the time), was Johnny Carson's touching me lightly on the arm and saying, "You want to know the secret to all of this, Rob? The trick to making it through this business?" And then he would tell me, and I would nod and say something incredibly funny, and then he and I would be best friends.

What happened was this: After a few moments of standing side-by-side in total silence, I pointed randomly to one of the monitors and shrugged, all fake-casual, "We'll probably use this angle." To which Johnny Carson nodded and pursed

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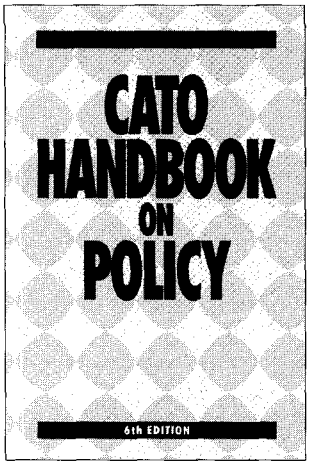

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his lips in a patient half-smile while I grinned like a drunkard. Click.

The photograph remains buried in a box in a room upstairs, and when I heard the news that Johnny Carson, the king of television, had died at 79, I fought the icky urge to dig it up, maybe smooth it out a bit, stick it in a frame and display it in some ostentatiously out-of-the-way place in my house, for snooping dinner guests to discover tucked away somewhere. "Oh, *that*?" I'd say. "Yeah. Johnny. Sad, you know?" And then a cryptic smile and nobody would ever guess that the reason I was smiling so oddly in the picture was that five seconds earlier, I had said something so gratuitous and stupid that I was actually wishing myself into another lifetime.

It wouldn't matter, of course, because a photograph of you and Johnny Carson still packs a bigger punch, status-wise, than a photograph of you and, say, Regis Philbin. Or Jay Leno. Or, really, any of the television personalities that plead from the screen for us to love them unconditionally. People talk about Johnny Carson as cool, or remote, or even a little bit uptight, but the truth is, he was just doing his job with as much dignity as a job like that would allow, which is why, twelve years later, his name still means something while other names—names of people who are currently on television—mean, as we say out here, *bupkiss*.

Maybe it was his Midwesterner's reserve, or his natural sense of restraint, but Carson's whole persona was built to last. And last it did. For thirty years he presided over a desk and a sofa and a microphone with chilled-out grace and snappy chit-chat that sent two big messages blasting through the nighttime sky: One, that he enjoyed his job and took it seriously; and two, that he did not need you to love him. He may have been a mess in his private life—I don't know, even though we were obviously very close friends (did you see the photograph?)—but in his professional life he maintained a cautious and dignified distance. We didn't love him, or even like him in a way people now assume is required for success and wealth in show business. We *respected* him, which is entirely different from love, or even like, and which lasts a lot longer.

KRT

Watching Jay Leno flutter and flap his way through his show each night, flop sweat glistening, voice popping with I-just-want-to-be-loved squeakiness, and you think, *Come on, dude, get a grip.* David Letterman and his sackful of tics and irritations and mildly autistic habits makes you want to say, *Um, are you all right? No, seriously, are you all right?* And Jon Stewart with his faux-naïve little-boy act is creepy and, ultimately, exhausting. And we'll be very kind and pretend not to notice Conan O'Brien, Carson Daly, and all the rest of the neurotic pygmies that clutter up Johnny's old timeslot.

Those guys are pretty funny guys—some of them are *very* funny guys—but they don't have the confidence or, more precisely, the *diffidence* that kept Johnny Carson on top for such a long time. Those guys are comedians. Carson was a broadcaster. A comedian begs. A broadcaster *presides*.

Johnny Carson presided, like a president, like—can we be really honest for a moment?—a man. Compared to the schoolboy mugging of Stewart or the sloppy neediness of Leno, or even, though it hurts me to say it, the brittle cynicism of Letterman, Carson was an actual man. He was Gary Cooper. The rest are just versions of Don Knotts. The famous Norma Desmond line in *Sunset Boulevard*—"*I am* big! It's the *pictures* that got small!"—needs a slight adjustment: When Carson was on television, the screen was *already* small; now, with flat screens and projection televisions and media rooms, the picture, actually, is *huge*. It just seems smaller, because it has Jimmy Kimmel on it.

It's tempting to say that Johnny Carson was king of television when that really meant something. And it's true: The television audience has shattered itself into so many tiny pieces, it's impossible to imagine one man collecting them all each night like he did. But he also seemed to grasp that the medium—and maybe all of show business—was designed to dissolve quickly into something else. A 30-year parade of guests—the hot new actor, the acclaimed new actress, the revolutionary new comedian—must have taught a unique lesson in the ludicrous shelf-life of anything "hot" or "acclaimed" or "revolutionary."

And so when he retired, he retired for good. He left Burbank and went home to the beach and for most of the past 13 years, that's where he's been. I think I saw him a year or two ago, walking out of the Malibu Kitchen with a bag of muffins, but I can't swear to it. I was carrying my own bag of muffins, and we were both in a rush, so even if it *was* Johnny I'm not sure we would have had much to say to one another. But we were close friends, for a while. He taught me a lot. You want to see the picture? Stay right there. I'll find it. **NR**

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■ **COVER ESSAY**

A Movie For All Time

Tomorrow and tomorrow and tomorrow, *Groundhog Day* scores

JONAH GOLDBERG

HERE's a line you'll either recognize or you won't: "This is one time where television really fails to capture the true excitement of a large squirrel predicting the weather." If you don't recognize this little gem, you've either never seen *Groundhog Day* or you're not a fan of what is, in my opinion, one of the best films of the last 40 years. As the day of the groundhog again approaches, it seems only fitting to celebrate what will almost undoubtedly join *It's a Wonderful Life* in the pantheon of America's most uplifting, morally serious, enjoyable, and timeless movies.

When I set out to write this article, I thought it'd be fun to do a quirky homage to an offbeat flick, one I think is brilliant as both comedy and moral philosophy. But while doing what I intended to be cursory research—how much reporting do you need for a review of a twelve-year-old movie that plays constantly on cable?—I discovered that I wasn't alone in my interest. In the years since its release the film has been taken up by Jews, Catholics, Evangelicals, Hindus, Buddhists, Wiccans, and followers of the oppressed Chinese Falun Gong movement. Meanwhile, the Internet brims with weighty philosophical treatises on the deep Platonist, Aristotelian, and existentialist themes providing the skin and bones beneath the film's clown makeup. On National Review Online's group blog, The Corner, I asked readers to send in their views on the film. Over 200 e-mails later I had learned that countless professors use it to teach ethics and a host of philosophical approaches. Several pastors sent me excerpts from sermons in which *Groundhog Day* was the central metaphor. And dozens of committed Christians of all denominations related that it was one of their most cherished movies.

When the Museum of Modern Art in New York debuted a film series on "The Hidden God: Film and Faith" two years ago, it opened with *Groundhog Day*. The rest of the films were drawn from the ranks of turgid and bleak intellectual cinema, including standards from Ingmar Bergman and Roberto Rossellini. According to the *New York Times*, curators of the series were stunned to discover that so many of the 35 leading literary and religious scholars who had been polled to pick the series entries had chosen *Groundhog Day* that a spat had broken out among the scholars over who would get to write about the film for the catalogue. In a wonderful essay for the Christian magazine *Touchstone*, theology professor Michael P. Foley wrote that *Groundhog Day* is "a stunning allegory of moral, intellectual, and even religious excellence in the face of postmodern decay, a sort of Christian-Aristotelian Pilgrim's Progress for those lost in the contemporary cosmos." Charles Murray, author of *Human Accomplishment*, has cited *Groundhog Day* more than once as one of the few cultural achievements of recent times that will be remembered centuries from now. He was quoted in *The New Yorker* declaring, "It is a brilliant moral fable offering an Aristotelian view of the world."

I know what you're thinking: We're talking about the movie in which Bill Murray tells a big rat sitting on his lap, "Don't drive angry," right? Yep, that's the one. You might like to know that the rodent in question is actually Jesus—at least that's what film historian Michael Bronski told the *Times*. "The groundhog is clearly the resurrected Christ, the ever-hopeful renewal of life at springtime, at a time of pagan-Christian holidays. And when I say that the groundhog is Jesus, I say that with great respect."

That may be going overboard, but something important is going on here. What is it about this ostensibly farcical film about a wisecracking weatherman that speaks to so many on such a deep spiritual level?

THOROUGHLY POSTMODERN PHIL

A recap is in order. Bill Murray, the movie's indispensible and perfect lead, plays Phil Connors, a Pittsburgh weatherman with

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delusions of grandeur (he unselfconsciously refers to himself as "the talent"). Accompanied by his producer and love interest, Rita (played by Andie MacDowell), and a cameraman (Chris Elliott), Connors goes on assignment to cover the Groundhog Day festival in Punxsutawney, Pa., at which "Punxsutawney Phil"—a real groundhog—comes out of his hole to reveal how much longer winter will last. Connors believes he's too good for the assignment—and for Punxsutawney, Pittsburgh, and everything in between. He is a thoroughly postmodern man: arrogant, world-weary, and contemptuous without cause.

Rita tells Phil that people love the groundhog story, to which he responds, "People like blood sausage, too, people are morons." Later, at the Groundhog Festival, she tells him: "You're missing all the fun. These people are great! Some of them have been partying all night long. They sing songs 'til they get too cold and then they go sit by the fire and get warm and then they come back and sing some more." Phil replies, "Yeah, they're hicks, Rita."

Phil does his reporting schtick when the groundhog emerges and plans to head home as quickly as possible. Unfortunately, a blizzard stops him at the outskirts of town. A state trooper explains that the highway's closed: "Don't you watch the weather reports?" the cop asks. Connors replies (blasphemously, according to some), "I make the weather!" Moving on, the cop explains he can either turn around to Punxsutawney or freeze to death. "Which is it?" he asks. Connors answers, "I'm thinking, I'm thinking." Reluctantly returning to Punxsutawney, Connors spends another night in a sweet little bed and breakfast run by the sort of un-ironic, un-hip, decent folks he considers hicks.

The next morning, the clock radio in his room goes off and he hears the same radio show he'd heard the day before, complete with a broadcast of "I Got You Babe" and the declaration, "It's Groundhog Day!" At first, Connors believes it's an amateurish gaffe by a second-rate radio station. But slowly he discovers it's the same day all over again. "What if there is no tomorrow?" he asks. "There wasn't one today!"

And this is the plot device for the whole film, which has seeped into the larger culture. Indeed, "Groundhog Day" has become shorthand for (translating nicely) "same stuff, different day." Troops in Iraq regularly use it as a rough synonym for "snafu," which (also translated nicely) means "situation normal: all fouled-up." Connors spends an unknown number of days repeating the exact same day over and over again. Everyone else experiences that day for the "first" time, while Connors experiences it with Sisyphean repetition. Estimates vary on how many actual Groundhog Days Connors endures. We see him relive 34 of them. But many more are implied. According to Harold Ramis, the co-writer and director, the original script called for him to endure 10,000 years in Punxsutawney, but it was probably closer to ten.

But this is a small mystery. A far more important one is why the day repeats itself and why it stops repeating at the end. Because the viewer is left to draw his own conclusions, we have what many believe is the best cinematic moral allegory popular culture has produced in decades—perhaps ever.

Interpretations of this central mystery vary. But central to all is a morally complicated and powerful story arc to the main character. When Phil Connors arrives in Punxsutawney, he's a perfect representative of the Seinfeld generation: been-there-done-that. When he first realizes he's not crazy and that he can, in effect, live forever without consequences—if there's no tomorrow, how can you be punished?—he indulges his adolescent self. He shoves cigarettes and pastries into his face with no fear of love-handles or lung cancer. "I am not going to play by their rules any longer," he declares as he goes for a drunk-driving spree. He uses his ability to glean intelligence about the locals to bed women with lies. When that no longer gratifies, he steals money and gets kinky, dressing up and play-acting. When Andie MacDowell sees him like this she quotes a poem by Sir Walter Scott: "The wretch, concentrated all in self / Living, shall forfeit fair renown / And, doubly dying, shall go down / To the vile dust, from whence he sprung / Unwept, unhonoured, and unsung."

Connors cackles at her earnestness. "You don't like poetry?" She asks. "I love poetry," he replies, "I just thought that was Willard Scott."

Still, Conners schemes to bed Rita with the same techniques he used on other women, and fails, time and again. When he realizes that his failures stem not from a lack of information about Rita's desires but rather from his own basic hollowness, he grows suicidal. Or, some argue, he grows suicidal after learning that all of the material and sexual gratification in the world is not spiritually sustaining. Either way, he blames the groundhog and kills it in a murder-suicide pact—if you can call killing the varmint murder. Discovering, after countless more suicide attempts, that he cannot even die without waking up the next day he begins to believe he is "a god." When Rita scoffs at this—noting that she had twelve years of Catholic school (the only mention of religion in the film)—he replies that he didn't say he was "the God" but merely "a god." Then again, he remarks, maybe God really isn't all-powerful, maybe he's just been around so long he knows everything that's going to happen. This, according to some, is a reference to the doctrine of God's "middle knowledge," first put forward by the 16th-century Jesuit theologian Luis de Molina, who argued that human free will is possible because God's omniscience includes His knowledge of every possible outcome of every possible decision.

THE METAMORPHOSIS

The point is that Connors slowly realizes that what makes life worth living is not what you get from it, but what you put into it. He takes up the piano. He reads poetry—no longer to impress Rita, but for its own sake. He helps the locals in matters great and small, including catching a boy who falls from a tree every day. "You never thank me!" he yells at the fleeing brat. He also discovers that there are some things he cannot change, that he cannot be God. The homeless man whom Connors scorns at the

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beginning of the film becomes an obsession of his at the end because he dies every Groundhog Day. Calling him "pop" and "dad," Connors tries to save him but never can.

By the end of the film, Connors is no longer obsessed with bedding Rita. He's in love with her, without reservation and without hope of his affection being requited. Only in the end, when he completely gives up hope, does he in fact "get" the woman he loves. And with that, with her love, he finally wakes on February 3, the great wheel of life no longer stuck on Groundhog Day. As NR's own Rick Brookhiser explains it, "The curse is lifted when Bill Murray blesses the day he has just lived. And his reward is that the day is taken from him. Loving life includes loving the fact that it goes."

Personally, I always saw Nietzsche's doctrine of the eternal return of the same in this story. That was Nietzsche's idea—metaphorical or literal—to imagine life as an endless repetition of the same events over and over. How would this shape your actions? What would you choose to live out for all eternity? Others see Camus, who writes about how we should live once we realize the absurdity of life. But existentialism doesn't explain the film's broader appeal. It is the religious resonance—if not necessarily explicit religious themes—that draws many to it. There's much to the view of Punxsutawney as purgatory: Connors goes to his own version of hell, but since he's not evil it turns out to be purgatory, from which he is released by shedding his selfishness and committing to acts of love. Meanwhile, Hindus and Buddhists see versions of reincarnation here, and Jews find great significance in the fact that Connors is saved only after he performs *mitzvah*s (good deeds) and is returned to earth, not heaven, to perform more.

The burning question: Was all this intentional? Yes and no. Ultimately, the story is one of redemption, so it should surprise no one that it speaks to those in search of the same. But there is also a secular, even conservative, point to be made here. Connors's metamorphosis contradicts almost everything post-modernity teaches. He doesn't find paradise or liberation by becoming more "authentic," by acting on his whims and urges and listening to his inner voices. That behavior is soul-killing. He does exactly the opposite: He learns to appreciate the crowd, the community, even the bourgeois hicks and their values. He determines to make himself better by reading poetry and the classics and by learning to sculpt ice and make music, and most of all by shedding his ironic detachment from the world.

Harold Ramis and Danny Rubin, the writer of the original story, are not philosophers. Ramis was born Jewish and is now a lackadaisical Buddhist. He wears meditation beads on his wrist, he told the *New York Times*, "because I'm on a Buddhist diet. They're supposed to remind me not to eat, but actually just get in the way when I'm cutting my steak." Rubin's original script was apparently much more complex and philosophical—it opened in the middle of Connors's sentence to purgatory and ended with the revelation that Rita was caught in a cycle of her own. Murray wanted the film to be more philosophical (indeed, the film is surely the best sign of his reincarnation as a great actor), but Ramis constantly insisted that the film be funny first and philosophical second.

And this is the film's true triumph. It is a very, very funny movie, in which all of the themes are invisible to people who just want to have a good time. There's no violence, no strong language, and the sexual content is about as tame as it gets. (Some e-mailers complained that Connors is only liberated when he has sex with Rita. Not true: They merely fall asleep together.) If this were a French film dealing with the same themes, it would be in black and white, the sex would be constant and depraved, and it would end in cold death. My only criticism is that Andie MacDowell isn't nearly charming enough to warrant all the fuss (she says a prayer for world peace every time she orders a drink!). And yet for all the opportunities the film presents for self-importance and sentimentality, it almost never falls for either. The best example: When the two lovebirds emerge from the B&B to embrace a happy new life together in what Connors considers a paradisiacal Punxsutawney, Connors declares, "Let's live here!" They kiss, the music builds, and then in the film's last line he adds: "We'll rent to start." **NR**

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■ POLITICS

Down for the Recount

No one can know who won Washington State's gubernatorial race

BYRON YORK

"Rossi Re-Vote."

That's how they answer the phones these days at the headquarters of Dino Rossi, the Republican who, after one election-night count, one machine recount, one excruciating manual recount, and more than a few electoral oddities, lost the race for governor of Washington State by 129 votes. Rossi, a former state senator, is now in court, contesting the election results and asking that a new vote be held.

There seems little doubt that Rossi deserves to be governor at least as much as Democrat Christine Gregoire, the state's three-term attorney general who was declared the winner and sworn in on January 12. But at this point, after all the counting, nobody claims to know precisely how many votes were cast for each candidate last November. Nobody claims that it is even possible to know that number. The only question now is what to do about it.

About 2.8 million people went to the polls in Washington State on November 2, and what happened after the voting became one of the most vertiginous political roller-coaster rides in recent history. On election night, Rossi was slightly ahead. By the next day, as the votes from heavily Democratic King County, home of Seattle, continued to come in, Gregoire took a lead that grew as large as 16,000 votes. By the morning of November 9, that lead had been cut in half. But at that point, more than 200,000 ballots had not yet been counted. Later that night, results came in from a number of Republican-leaning counties, and Rossi took a lead of about 2,000 votes. The day after that, it stretched to 3,500.

About 85,000 ballots were still uncounted. Most of them were provisional ballots, meaning they were cast by people who came to the polls and could not show that they were registered to vote. They were allowed to cast ballots anyway, with the understanding that the ballots would be counted later if it could be shown that those voters were indeed registered.

On November 15, the count moved in Gregoire's favor when King County announced that it had 10,000 more ballots to count than election officials originally thought (it's still not entirely clear how that happened). Those votes went heavily to Gregoire, putting her in the lead by 158 votes. It was a kick in the teeth for Republicans, but Rossi remained calm. "We still knew how many ballots were outstanding in the counties that we had," Rossi told NATIONAL REVIEW recently, "and we were confident that we were going to win."

Sure enough, when those Rossi-leaning counties sent in their final totals, the Republican pulled back into the lead. On November 17, the counting was finished, and Rossi had won by 261 votes.

COUNT AND COUNT AGAIN

A recount was guaranteed: Washington State law requires a recount if an election is decided by less than one-half of one percent of the total votes cast. The recount was done by machine. It might seem obvious to say that it was intended to recount those ballots that had already been counted in the first round, but that fact was not obvious to officials in King County. They decided to "enhance" some ballots that had not been legible or otherwise countable during the first go-round. More and more ballots went into Gregoire's column. The King County votes cut into Rossi's lead, but not enough to put Gregoire into the lead. By the time the machine recount was finished, Rossi won by 42 votes.

Gregoire refused to concede. Democrats wanted a hand recount of all the votes, but the law required that they pay for it, which meant they would have to raise nearly $1 million. For a while, Democrats wondered where the money would come from, but their worries were eased when checks came in from John Kerry, who donated $250,000 in unused campaign funds; from MoveOn.org, which pitched in another $250,000; from the Democratic National Committee, which sent still another $250,000; and from former Democratic presidential candidate Howard Dean, who raised about $200,000 for the cause.

The recount began December 8. At first, it seemed to make little net change in the vote totals. Rossi appeared to be headed for a final, unquestionable victory when King County officials announced they had found 573 "new" ballots, which—they said—had been mistakenly disqualified. Republicans went to court, arguing that the time for counting "new" ballots was past, and that to count them now would require changing the rules in the middle of an election. But the state supreme court ruled against the GOP. The "new" votes were counted, and in the final tally Gregoire won by 129 votes. On December 30, she was certified the winner.

Republicans were stunned. "We thought that if it was a straightforward operation, a hand recount would work for us," Rossi says. "But King County kept finding ballots and finding ballots and finding ballots until they had enough to win."

What should the GOP do? Rossi and his allies began collecting the voting records from several counties around the state, and found what might be charitably called serious irregularities. They found counties where the number of votes cast exceeded the total number of registered voters. They found counties that had made mistakes in the counting of provisional ballots. And they found counties in which—shades of Daley's Chicago—dead people apparently cast ballots.

ONCE MORE UNTO THE BREACH

The GOP resolved to challenge the election results in court. Rossi decided not to insist that had he in fact won the race (although he believes that he did), but to argue instead that the whole count was such a mess that the real winner can never be

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established. "[We] believe that the number of illegal votes counted, and the number of valid votes improperly rejected in this election, are so great as to render the true result of the election uncertain and likely unknowable," Rossi's court petition said. "Because the true results cannot be ascertained, a new election must occur promptly to restore the integrity of Washington's election process."

The challenge is based on three categories of evidence. The first is the discrepancy between votes and voters. In King County alone, there were about 1,800 more ballots counted than there were voters who were credited with voting—that is, people who, as the law requires, signed the poll book or who signed their absentee ballots. In an election decided by 129 votes, the significance of that is obvious. And—unlike a lot of election contests in the past—no one disputes that there is a problem here. County election officials concede that there is indeed a difference in the two totals; after first claiming that it was 1,200 votes, they later raised it to 1,800. The officials defended themselves by saying that they were "99.99 percent accurate in terms of administering of this election," suggesting that the discrepancy is statistically insignificant.

Christine Gregoire

Dino Rossi

Republicans disagree. "It's incredibly significant," state GOP chairman Chris Vance told NATIONAL REVIEW. "What is the number one safeguard we have to insure a fair election? How do we prevent someone from just stuffing a ballot box? It's the basic requirement that somebody has to sign something. Every single voter either has to sign a poll book or sign the absentee ballot, and in this case you have more votes than people who signed in."

The second category of evidence in the Rossi challenge is the odd set of circumstances surrounding the handling of provisional ballots. Anyone can go to a polling place and request—and receive—a provisional ballot. After that person votes, the ballot is supposed to be kept in a secure envelope while election officials check on the person's eligibility to vote. At all times, that vote should be segregated from the larger pool of votes. But in King County, officials have found nearly 350 cases in which those ballots were mistakenly counted. "They were fed into the counting machines, went into the sea of ballots, and can never be traced," says Rossi campaign spokeswoman Mary Lane. The Rossi campaign believes there are another 75 or so such ballots in Pierce County, meaning more than 400 ballots improperly entered the system—again, in a race decided by 129 votes.

The third category of evidence is the number of instances in which felons and corpses voted, while other people voted more than once. There is still no total number of ballots that might fit into that category—Rossi's researchers are painstakingly matching voter names to death records, criminal-conviction records, and the like—but so far, Republicans have come up with more than 129 examples.

ROMAN GENN

With all of that, Rossi believes he has a slam-dunk case for a re-vote. "We have so much evidence that the court will have to strain its neck to look the other way," he told NATIONAL REVIEW. "The bottom line is, we don't really know who won the race." Rossi stresses that he is not simply trying to have enough votes reversed to make him governor. The drawn-out process of recounting and "discovering" previously unknown votes has shaken the public's faith in the integrity of the system, and yet another turnaround, Rossi says, would do nothing to remedy that situation. "If I just turned it over by 130 votes, I just don't think people's faith in the process would be restored," he explains. "Under those circumstances, I'd rather not be governor."

Rossi concedes that there is no precedent in Washington State for holding a statewide re-vote. In fact, the only precedent he points to is a 1974 race for county commissioner in Washington's Adams County in which, after bungled recounts, a judge ordered a new vote. "There's no statewide precedent," Rossi says, "but courts have upheld the principle." But there seems little doubt that if Rossi wins in court, and a judge orders a new vote for governor, there will be plenty of future races in which losing candidates call for re-votes, and not all of them will have as strong a case as Rossi. Where will the line be drawn? The possibilities for litigation—and the disruption of government—will be endless.

In addition, it might serve Rossi's political future better if he, like John Thune—who narrowly lost a Senate race in South Dakota in 2002 after probable fraud on the state's Indian reservations—bowed out gracefully and fought another day. Thune later won a Senate seat, knocking off Tom Daschle last year. Rossi rejects the comparison. "In Thune's case, I don't think that they had anybody on the reservation admitting they had more votes than voters, or admitting that they put through provisional ballots," he says. "King County did that. It's a different issue."

Another reason not to re-vote is that Gregoire has been badly hurt by her actions. Polls show that most people in Washington State do not believe she won office by legitimate means, and she will likely govern under a cloud of suspicion. Republicans will be free to remind the public of that at every appropriate time. And then, in four years, the injustice of 2004 will likely be on the voters' minds as they go to the polls. But Rossi rejects that argument, too. "This is a lot bigger than me and her at this point," he says. "If I just roll over, they're going to sweep this under the rug, and we'll have the same problem next time. This is the only way this process is going to be cleaned up."

Now, it's up to a judge. Just as there is no way to know who won the election held on November 2, there is no way to know whether holding a re-vote is the correct solution to the problem. Yes, justice might be done, but the precedent might well lead to more litigation, which might further undermine the public's faith in the system that Rossi wants to restore. If hard cases make bad law, then hard elections might do the same thing, too. **NR**

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■ AT WAR

The Impatient Caucus

Have we forgotten that winning a war takes time?

VICTOR DAVIS HANSON

READING the pages of foreign-policy journals, between the long tracts on Bush's "failures" and those on neoconservative "arrogance," one encounters mostly predictions of defeat in Iraq, laced with calls for phased withdrawal and—throughout—resounding criticism of the "botched" U.S. occupation and innuendos of petroleum imperialism.

Platitudes follow: "We can't just leave now," followed by no real advice on how a fascist society can be jump-started into a modern liberal republic. After all, there is no government handbook titled, "Operation 1A: How to remove a Middle East fascist regime, reconstruct the countryside, and hold the first elections in the nation's history—all within two years." The idea of perfection is always the enemy of improvement, as if American-sponsored reform were no better than what preceded it under a Noriega, Milosevic, the Taliban—or Saddam.

A great number of people who supported the war are now bailing out, on the pretext that their particular (but rarely detailed) version of the reconstruction was not followed: While a three-week war was of course their own idea, a 20-month messy reconstruction was surely someone else's. Yesterday's genius is today's fool—and who knows next month, if and when the elections work? Witness post-bellum Afghanistan, where all those who recently said the victory was "lost" to warlords are now suddenly quiet.

HAVING IT BOTH WAYS

From the oscillating analyses of Iraq, the following impossible picture emerges from our intelligentsia: It was a fatal error to disband the Iraqi army. That reckless act led to lawlessness and a loss of confidence in the Americans' ability to restore immediate order after Saddam's fall. Yet it was also a fatal error to keep some Baathists in the newly constituted army. They were corrupt and wished reform to fail—witness the Fallujah Brigade that either betrayed us or aided the enemy. So we turned off the Sunnis by disbanding the army—and yet somehow turned off the Shiites by keeping some parts of it.

Massive construction projects were hogged by gargantuan American firms, ensconced in the Green Zone and engaging neither local Iraqi workers nor small companies and thus squandering precious good will. Or is it instead: Indigenous contractors proved irresponsible and unreliable, evidence of why Iraq was in such bad shape to begin with? When we did put exclusive reliance on them, it ensured only lackadaisical and half-hearted reconstruction that demoralized Iraqis desperate for power, sewage, and water under any circumstances possible.

We also lost Iraqi hearts and minds by using GPS bombs to obliterate entire houses full of killers or take out blocks of insurgents in Fallujah and Mosul. Yet we lost hearts and minds by failing to act decisively and de facto turning over large enclaves to terrorists and Saddamites whom we were afraid to root out. Abu Ghraib showed that we were running a veritable Gulag archipelago; however, the brazenness of insurgents and absence of on-the-ground intelligence proved that we were afraid to take the tough measures to ensure public safety and caved in to bloodthirsty beheaders and suicide-murderers.

Elections should have been held earlier; no, they must be now delayed since they come too soon when the country is still unsecured. No, this is the proper time after all. If 100 percent participate, then it is a sham and reminiscent of Saddam's forced turnout; if 55 percent vote, sectarian violence is inevitable, as if such similarly dismal participation rates in the United States prompt violence or reveal illegitimacy. The Sunnis will spoil the democratic experiment—as if 20 percent of the population who cannot or will not stop the violence have the right to impair the hard work of the other 80 percent who are eager for reform, ready to brave fire to vote, and in possession of most of the country's petroleum, ports, and pipelines.

Our helmeted soldiers with sunglasses are holed up in enclaves, don't mingle, and perpetuate the heavy-handed image of callous occupiers. But leaving the Green Zone is an open invitation to kidnapping and worse. So we are both too well hidden and yet not hidden enough. Embedded media gave us a real-time picture of the fighting. But (if one is conservative) reporters amid the ranks left open the opportunity for sensationalism; or (if one is liberal) embedding created too close a psychological bond with the soldiers, one that impaired objectivity.

It was a mistake to postpone Iraqi sovereignty for so long; but it is an equal error to allow a Shiite-dominated country to have real autonomy and become a puppet of Iran—or Saudi Arabia or Syria or . . . The CIA is impotent, out-of-touch, and clownish; but somehow it mind-controlled Allawi, Chalabi, and a host of other Iraqi "puppets."

The litany from the mercurial Beltway goes on: There were enough troops to take out Saddam in three weeks, but not enough to restore order to the countryside—but still too many, which resulted in too high an American profile on the streets of Baghdad. The transformations of Donald Rumsfeld (last week's genius, this week's fool, next week's whatever) have left us stripped down and bereft of the muscle needed. Yet new, more mobile brigades in lighter vehicles and special forces with laptops are preferable to old armored divisions on the Iraqi streets.

We cannot flee, but must not stay. Iraqis publicly say we

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should leave, but privately beg us to remain. We were after cheap oil, but gas prices somehow climbed almost immediately after we went in. We snubbed the U.N., but the U.N.—hand-in-glove with others—helped to loot Iraq. Democracy won't work with these people, but somehow we are seeing three successive elections in the wake of the Taliban, Arafat, and Saddam.

There are many constants in all this pessimistic confusion—beside the fact that we are becoming a near-hysterical society in which liberals don't like promoting democrats abroad and many conservatives don't support helping republicans overseas. First, our miraculous efforts in toppling the Taliban and Saddam have apparently made us forget that war is always a list of mistakes. No conflict can be conducted according to ante-bellum planning, or proceed with the benefit of hindsight. Iraq was not Yemen or Qatar, but rather the most wicked regime in the world, in the heart of the Arab world, full of oil, terrorists, and mass graves. There were no helpful neighbors to keep a lid on the infiltration of jihadists. Instead we had to go into the heart of the caliphate, take out a mass murderer, restore civil society after 30 years of institutionalized brutality, and ward off Sunni and Baathist fomenters in Saudi Arabia, Jordan, and Syria—all the while keeping out Iranian-Shiite agents bent on stopping democracy. The wonder is not that there is violence and gloom in Iraq, but that less than two years after Saddam was removed, elections are still on track.

We now look back in awe at World War II, the model of military success. But our forefathers also experienced disaster after disaster in a tale of heartbreak almost as inglorious as the Korean mess or the Vietnam tragedy.

THE MYTHOLOGY OF THE 'GOOD WAR'

We now look back in awe at World War II, the model of military success, in which within four years an unprepared United States won two global wars, at sea, on the ground, and in the air, on three continents, against Japan, Italy, and Germany—and supplied both Britain and the Soviet Union. But our forefathers also experienced disaster after disaster in a tale of heartbreak almost as inglorious as the Korean mess or the Vietnam tragedy. Of course, they did things to win we perhaps claim that we would now not do: bomb the French rail system, ignite Axis cities, drop the Bomb—almost anything to stop fascists from slaughtering even more millions of innocents.

Most of our armored vehicles were deathtraps, improved only days before the surrender. American torpedoes in the Pacific were often duds. Unescorted daylight bombing proved a disaster, but continued unabated. Amphibious assaults like Anzio and Tarawa were bloodbaths, plagued by terrible planning and command. The recapture of Manila was clumsy and far too costly. Okinawa was the worst of all operations, and yet was begun just over four months before the surrender—without careful planning for kamikazes, who were shortly to kill nearly 5,000 American sailors. Patton, the one general who could have ended the western war in 1944, was earlier relieved and then subordinated to an auxiliary position with near-fatal results for the drive from Normandy. Mediocrities like Mark Clark flourished and were promoted. Admiral King for far too long resisted the life-saving convoy system and thus unnecessarily sacrificed merchant ships; Admiral Bull Halsey almost lost his unprepared fleet to a storm.

The war's aftermath seemed even worse—to be overseen by an untried president who was considered an abject lightweight. Not-quite-so-collateral damage had ruined entire European cities. Europe itself nearly starved in the winter of 1945-6. Millions took to the road in mass exoduses. After spending billions to destroy Nazi Germany we had to spend billions more to rebuild it—and repair the devastation it had wrought on its neighbors. Our so-called partisan friends in Yugoslavia and Greece turned out to be hard-core Communist killers. Soon enough we learned that the most of the guerrillas in the mountains of Europe whom we had idolized, in fact, fought as much for Communism as against fascism—but never for our notion of democracy.

But at least there was clear-cut strategic success after all such sacrifice and disappointment. Oh? The Second World War started to keep Eastern Europe free of Nazis and ended up ensuring that it was enslaved by Stalinists. Poland was free neither in 1940 nor in 1946. By early 1946, we were already considering putting former Luftwaffe pilots in American jets—improved with ample borrowing from Nazi technology—to protect Europe from the Red Army carried westward on GM trucks.

We put Nazis on trial for war crimes even as we invited their scientists to our shores to match their expatriate counterparts in the Soviet Union who were building even more lethal weapons to destroy us. Our utopian idea of a global U.N. immediately deteriorated into a mess—decades of vetoes to come in the Security Council by Stalinists and Maoists, even as former colonial states turned thugocracies in the General Assembly ganged up on Israel and the survivors of the Holocaust.

After Americans had liberated France and restored his country, General de Gaulle created the romance of the French resistance and immediately triangulated with our enemies to reforge some pathetic sort of French grandeur. An exhausted England

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turned over to us a collapsing empire, with the warning that it might all turn Communist. Tired of the war and post-bellum costs, Americans suddenly were asked to wage a new Cold War to keep a shrinking West and its allies free from Stalinism. The Department of War turned into the Department of Defense, along with weird new things like the U.S. Air Force, Strategic Air Command, Food for Peace, Alliance for Progress, Voice of America, and thousands of other costly entities never dreamed of just a few years earlier.

Yet our greatest generation thought by and large they had done pretty well. We, in contrast, would have given up in despair in 1942, *New York Times* columnists and NPR pundits pontificating "I told you so" as if we would have been better off sitting out the war all along.

IRAQ: THE ROAD AHEAD

The U.S. has a number of options in Iraq. In fact, our enemies are now confronting their own paradoxes. The terrorists have a glaring problem: Seventy-five percent of Iraqis want elections. The Sunni clerics—who either cannot or will not stop their brethren from trying to derail the voting, through which their own cause will be defeated—wish to nullify the elections. But these Sunni appeals appear increasingly empty—almost like the Secessionists complaining that Northern voters in 1860 might imperil the Union. And no one is all that sure that there really is a purist Sunni block of millions of obstructionists, rather than just ordinary Iraqis who want to vote and are in fear of extremists who claim their allegiance. Saudi Arabia unleashed terrorists to stop democracy in Iraq—and now worries that their young Frankenstein monsters hate their creators just as much.

So we are inching ahead, as global television soon will air an elected and autonomous government fighting fascists for the chance of democracy, one that will soon earn from its own people the praise of success or the blame of failure. If the Kurds and the Shiite majorities vote for us to leave, then we must—but to do so would be to ensure the return of the Baathists, the domination of Wahhabi fundamentalism, or the Lebanonization of the country. And so they probably won't. There is much talk of an Iranian takeover, but no evidence that an Iraqi Shiite sees himself as more an Iranian than an Arab, or that Ayatollah Sistani is anything other than a street-smart diplomat who understands that the Shiite moment hinges on his community's sense of restraint and moderation in the face of grave insult and unwarranted attack.

All this we cannot see at present, as we in our weariness lament the losses of almost 1,100 combat dead and billions of dollars committed to people who appear from 30-second media streams to be singularly ungracious and not our sort of folk. We dwell on unmistakable lapses, never on amazing successes—just as we were consumed with Afghanistan in its dark moments, but now ignore its clear road to success. But never mind all this: The long-term prospects are still as bright as things seem gloomy in the short term—but only if we emulate our grandfathers and press on with the third Middle East election in the last six months. Americans have never regretted their support for elections abroad and we won't this time either. **NR**

■ **PUBLIC POLICY**

High Caliber Advocacy

How the NRA won the fight over gun rights

JOHN J. MILLER

"WHEN I was growing up in Tennessee, we had a saying for something that was so outrageous nobody could believe it: 'That dog don't hunt,'" says Chris Cox, the chief lobbyist of the National Rifle Association. The old phrase came back to him a couple of years ago, as Cox was plotting the NRA's strategy for 2004. "I knew the Democrats were going to go after the pro-gun vote, and I knew their efforts would be full of bald-faced lies. We had to figure out a way to expose them."

So Cox visualized a dog that didn't hunt. He came up with the concept of a French poodle with a pink ribbon in its exquisitely groomed fur, wearing a sweater bearing the name of the Democratic presidential candidate. Beneath this picture would be Cox's boyhood aphorism. It was bound to be a clever ad, but then Democratic primary voters did something to turn it into a perfect one: They nominated John Kerry, the senator with puffed-up hair and "French" looks.

In doing so, they helped the NRA launch one of the most effective and memorable images from the 2004 election. For a few weeks last fall, the Kerry poodle was America's most famous canine—a political version of the Taco Bell Chihuahua. It became the centerpiece image in a "No quiero John Kerry" campaign that included more than 6 million postcards and letters, nearly as many fliers and bumper stickers, and an expensive media campaign made up of 28,000 television commercials, 20,000 radio spots, 1,700 newspaper ads, and more than 500 billboard messages. "Nothing kills Democratic candidates' prospects more than guns," concluded *New York Times* columnist Nicholas Kristof. "If it weren't for guns, President-elect Kerry might now be conferring with incoming Senate Majority Leader Daschle."

That may be an overstatement, but not by much. Kerry and Daschle were the NRA's top two targets and both lost. The NRA's vote counters say they also returned a bipartisan pro-gun majority to the House and increased their standing in the Senate by at least four seats (and possibly five, depending on whether Democrat Ken Salazar of Colorado votes the way he promised). As a result, the defenders of gun rights are in as strong a position today as ever before. "The politics of this issue have changed 180 degrees in the last four years," says Cox.

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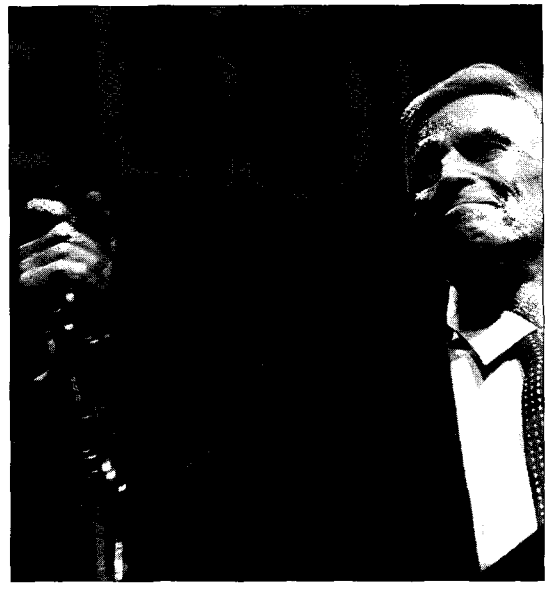
WHAT HAPPENED

It wasn't supposed to be this way—or so thought many liberals throughout the 1990s, when they became convinced that gun control was an unbeatable issue for them. Bill Clinton certainly agreed. In his first year as president, he abandoned the gun-friendly credentials he had built up as governor of Arkansas and signed the Brady Bill, which required background checks and five-day waiting periods before the purchase of guns. Encouraged by this early success, which involved overcoming the objections of NRA lobbyists, Clinton pushed an assault-weapons ban as part of a major crime bill the next year. It was a policy mirage: The term "assault weapon" was an invention that referred more to a gun's appearance than its performance, and most semi-automatic rifles weren't even affected by it. But to Clinton such details didn't matter. He was a master of the micro-initiative, and he was confident he could rout the NRA once more—and look good to voters as he did it.

The NRA didn't like the Brady Bill, but it loathed the gun ban. Its efforts on Capitol Hill were so vigorous that the two top Democrats in the House even asked Clinton to back off. Many of their colleagues from rural areas had bucked the NRA on the Brady Bill and couldn't afford to let it happen again, warned Speaker Tom Foley and Majority Leader Dick Gephardt. Yet the president ignored their pleas. The gun ban passed and Clinton signed it into law. In his 2004 memoir, *My Life*, Clinton recounted his talk with Foley and Gephardt and summed it up with three words he has never had an easy time saying: "I was wrong."



The NRA president, 2002

It would have been difficult to make any other kind of claim because the GOP's historic takeover of Congress followed two months later. "The NRA had a great night," wrote Clinton. "We got the living daylights beat out of us." He wasn't wrong about that. Although gun rights weren't mentioned in Newt Gingrich's Contract with America, the NRA was an essential partner in the Republican triumph. By one estimate, the gun group defeated 19 of the 24 incumbent House members on its target list. The assault-weapons ban had backfired.

Many Democrats nevertheless insisted that they remained right on the politics but had somehow mishandled the anti-gun message. Instead of accepting the NRA as a mainstream organization whose devoted membership included rural Democrats and union members—voters who belonged in their own base—they settled on a strategy of demonization. Their task was made much simpler after the Oklahoma City bombing in early 1995. From Clinton on down, Democratic politicians and commentators blamed conservatives for inciting Timothy McVeigh's terrorism with anti-government rhetoric. An NRA fundraising letter quickly became Exhibit A: It had referred to federal agents as "jack-booted government thugs."

That provocative phrase owed its existence to Democratic congressman John Dingell of Michigan, who had used the term "jack-booted group of fascists" to describe officials from the Bureau of Alcohol, Tobacco, and Firearms in an NRA documentary some years earlier. Yet such details were lost in a maelstrom of controversy over the phrase. The NRA's credibility suffered and former president Bush even resigned his lifetime membership. In an instant, the anti-gun groups appeared to neutralize much of the advantage the NRA had gained from its election victories. The pro-gun forces scaled back on their legislative ambitions and prepared to play defense instead. The NRA spent much of its time talking about its safety and educational courses rather than the politics of guns.

The NRA also began rethinking some of its traditional strategies, starting with leadership. In 1997, Charlton Heston joined the group's board and the next year became its president. His elevation—and the personal activism that came with it—provided a huge lift. "He gave the NRA a tremendous boost in credibility," says Gary Lawrence, a California-based pollster who has worked with the NRA for decades. Before Heston, NRA press conferences were virtually empty. But when Heston called them on the NRA's behalf, they were standing-room-only media events.

The NRA also knew from Lawrence's research that it could draw on a deep reservoir of public support. Its own surveys routinely showed that more than 80 percent of Americans consider gun ownership a basic right. And although half will claim they're for stricter gun control, many don't feel strongly about it. Their convictions begin to erode as soon as they learn about specific proposals, and very few believe that gun restrictions control crime. "We see this in our focus groups all the time," says Lawrence. "There's a distinct group of people who don't think gun control reduces crime but at the same time feel the need to be *doing something* about guns." This makes them vulnerable to counterarguments: One the NRA began to employ to great effect in the late 1990s was that the Clinton administration wasn't enforcing the gun laws already on the books—what good would it do to add more?

Support for gun control tends to spike after catastrophes, and a big one struck in the spring of 1999, at Columbine High School. Senate Democrats immediately demanded to close what they called the "gun-show loophole," the ability of non-dealers to buy or trade guns with other individuals at gun shows without cumbersome federal oversight, just as they would if they were in private homes. The vote came to a 50-50 tie, allowing Vice President Gore to break it with much fanfare. "I personally would like to dedicate my tie-breaking vote to all of the families that have suffered from gun violence," he trumpeted. At the time, his vote was seen as an important piece of publicity as he prepared to emerge from Clinton's shadow and run for president. Liberal pundits hailed him.

A month after Gore's vote, however, the House refused to fol-

CANDICE TOWELL/GETTY

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low suit. It accepted the NRA's logic about the futility of new gun laws. Yet a compromise with the Senate was still possible. Some Republicans insist that the Clinton administration might have struck a deal over the gun shows but became less interested in a legislative accomplishment than in keeping the issue alive for Gore. "They moved the goal posts on us about 42 times," complains a former House Judiciary lawyer who was involved in the negotiations. Once again, Democrats thought that gun control was a ticket to success, especially among jittery soccer moms who just wanted to keep their kids safe at school.

By now, Gore was becoming so associated with gun control that the NRA was able to reconsider its standard election-year practice of focusing on congressional races. "We went from a bottom-up to a top-down strategy," says Tom Edmonds, a longtime media consultant to the NRA. "We concentrated on Gore and the presidential race and let everything else trickle down." This approach was possible because Gore had become well known for his hostility to guns; in one forum, he spoke of "a kind of sickness at the very heart of the NRA." Two months later, gun-control groups organized a large rally on the National Mall, which they called the Million Mom March. "The NRA is buying votes with blood money," declared talk-show host Rosie O'Donnell, who spoke at the rally.

The shrill words of Gore and O'Donnell startled gun owners. NRA membership surged to an all-time high of 4.3 million. Heston became a fixture on the campaign trail. His organization devoted many of its resources appealing to Democrats in key states. Chuck Cunningham, the NRA's director of federal affairs, wrote a letter to Michigan auto workers and West Virginia coal miners that addressed Gore's environmental record in addition to his support for gun control. "Keep your job and your Second Amendment rights," it said. These and similar messages cost Gore dearly in states such as Arkansas, Tennessee, and West Virginia. If the vice president had carried just one of them, he would have become president.

2004

Gore's defeat convinced many Democrats that guns were a serious vulnerability for their party. Labor leaders complained loudly that the gun issue was creating problems for them in their union halls. The country's foremost anti-gun group switched its name from the highly suggestive Handgun Control, Inc. to the less confrontational Brady Campaign to Prevent Gun Violence. During the 2002 campaigns, Democratic candidates showed off their hunting licenses. Later, presidential candidate Howard Dean even touted his pro-gun views—and didn't appear to suffer among primary voters. The entire gun-control movement looked determined to avoid another debacle. It would do everything it could to hold on to Democrats who bolted their party over guns.

The Democrats would have had trouble nominating a more anti-gun candidate than John Kerry. From the NRA's standpoint, Kerry had one of the longest and worst voting records in the Senate. But unlike Gore, he had never taken a high profile on the issue. Many voters actually assumed he was a strong supporter of Second Amendment rights because he was a military veteran. What's more, the NRA's opposition researchers had found Gore's speeches to be a target-rich environment for anti-gun rhetoric; Kerry had been much more circumspect—there was a line from 1993 expressing a desire for special taxes on guns and ammo, and little else. Kerry was for tighter gun control, but he had not made it a theme of his career.

And so Kerry entered the 2004 campaign with some important assets. He bolstered them on a hunting excursion in Iowa months before the Democratic caucuses, providing his campaign with plenty of pictures of himself holding a double-barreled shotgun and inspecting a dead pheasant. These would turn up again and again on his website and in brochures sent to gun owners in swing states. The goal was not to convince Republicans to support Kerry so much as to stop Democrats from supporting Bush. The AFL-CIO even stole a line from Cunningham's NRA letter of 2000 and reversed it: "In this election, my gun is safe. But my job isn't."

For a while, this was successful. "We found that Kerry's lies to gun owners were working," says Cox. "Nobody in the NRA bought into them because they were reading our publications, but a lot of other gun owners did. Many actually thought Kerry was for fewer restrictions on guns."

The poodle ads had been devised to address this precise problem. Over the summer, Lawrence assembled focus groups to test their effectiveness. The results were overwhelmingly positive, and the NRA decided to invest millions on the concept. By October, the poodle was plastered all over the battleground states. "I even saw it painted on the side of a barn in Minnesota," says Cox.

Try as he might, Kerry just couldn't live down his extensive voting record. When the senator went goose-hunting in Ohio less than two weeks before the election, the NRA took out an ad in a local newspaper and called him "daffy." The Bush campaign mocked him as well: Vice President Cheney referred to Kerry's hunting clothes as an "October disguise." Kerry even became the butt of jokes on late-night television: Jay Leno accused him of trying "to be all things to all people"—a sure sign that the NRA's message was working. Guns were suddenly one of the most important differences between Bush and Kerry. "In West Virginia, people look to see where you stand on life, marriage, and guns," says Joe Manchin, the newly elected governor of that state, a Democrat with conservative views on social issues. "If you're on the wrong side of just one or two of those issues, you've got a problem. If you're on the wrong side of all three, you're mortally wounded."

In the new Congress, the NRA has a realistic hope for the first time in a decade that it can enact pro-gun legislation. There are about 50 pro-gun Democrats in the House and about a dozen in the Senate. With this dynamic, the NRA believes President Bush may soon have an opportunity to protect gun manufacturers from frivolous lawsuits and repeal the District of Columbia's gun ban.

But has the broader Democratic party learned a lesson from the Gore and Kerry experiences?

A few weeks after Bush's election, one Democrat offered a reason for his party's failure: its refusal to support the Second Amendment. "If I could re-invent the world, Saturday night specials wouldn't exist," said congressman Barney Frank of Massachusetts. "It's not about whether it's worth achieving federal handgun control on the federal level because we can't achieve it on the federal level." His advice, as distilled by the *New York Times*: "Liberals should give up at gun control."

The article ran in the December 22 edition of the *Times*. The year was 1988. It raises an obvious question: Will those dogs ever learn to hunt? **NR**

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the long view

ROB LONG

Memorandum

TO: All news staff worldwide
FROM: Management
RE: Guidelines for the next four years

As I hope was clear from my conference call this morning, many of us here on the eleventh floor are concerned with what seems to us to be an undue amount of attention and navel-gazing on the part of the journalistic community as it digests and responds to the next Bush administration.

Obviously, the CBS affair has had ramifications. We can no longer simply trust our sources to provide us with documents that will not stand expert scrutiny. I am particularly proud of this news organization's response to the CBS imbroglio, and if any questions remain, please refer to my memo of 11/17/04, "Avoiding Sloppy Work: A Guide for Teaching Your Sources about Fonts, Kerning, and the Autopen."

And yet, I can sense from some of your work that there's a backsliding mentality going on. It's understandable, of course, that the tragic events of the recent past—the Rice hearings, the Bush inaugural, the recent rise in consumer confidence, the tsunami—may have knocked some of you off balance. This memo is an attempt to get things back on track.

For the duration of the next four years, then, let's all try to observe the following guidelines:

1. When possible, please refer to Jesus Christ, the historical figure associated with those who profess belief in "Christian" doctrine, as either "Mr. Christ" or "the Jesus figure." Let's remember that we're journalists. We're supposed to be skeptical. For further discussion of this stylebook change, please see my memo of 12/25/04, "Injecting Pluralism: A New Way to Talk About Jesus and Jesuses."

2. The terms "far Right" and "radical Right" no longer serve a useful descriptive purpose. Please substitute "arch" or "spooky" as appropriate.

3. The elections in Iraq pose special problems for us, as recent indications suggest that they may proceed with relative efficiency and even, among some of the more "backward" citizens, outright enthusiasm. It's especially challenging, when depicting or describing cheerful Iraqis on their way to vote for the first time in their lives in a free and fair election, not to forget—as I just did, a few words ago—that elections are never free and fair. They are, for our purposes, "free" and "fair," perhaps—the quotation marks here are really crucial, and are required for any and all dispatches—but better, more accurate words to use to characterize the upcoming "free" and "fair" "elections" in Iraq might be any combination of the following: fraught, tense, deep, riven, terror, hate, ambivalent, anger, anti-Bush, anti-American, violent, tragic, depressed, and quagmire. Please see that in your dispatches and copy you incorporate this new lexicon.

4. For the next four years, at least, let's return to our traditional focus on the permanent American underclass.

5. For the next four years, at least, let's all try to identify which exact group can be called a "permanent American underclass."

6. Let's keep on top of the signs that our children are becoming more violent. We seem to have dropped the ball on this one lately.

7. Older Americans in particular have begun backsliding lately in their awareness and enthusiasm for some of our past narratives. It's important, as we begin to discuss dismantling legacy social-safety-net institutions, that our nation's elderly are our greatest resource for quotations, fearful utterances, heartbreaking anecdotes of cost-cutting—that sort of thing. (I'm thinking primarily here of prescription medicines, but I recall great copy and art coming out of the early Reagan years depicting older people glumly staring at cans of dog food. Archives: Dig this up, will you? And "cc" it to everyone . . .)

8. Finally, I think it's time to develop a new way to refer to African Americans. In the past few years, the term African American has embedded itself in the consciousness of most of our citizens, and the result is that it's harder and harder to get them to use anything else, even inadvertently (see my memo of 6/8/04, "Tripping Up Da Man: Getting Your Subject to Say Something Racist," for further discussion on this topic). I'm open to suggestions, of course, but I would posit that we return to "negro" if possible, as it's close enough to another, highly offensive term that a tiny bit of work on an audio file can do the trick.

Please try to keep these key ideas in mind as you report and file stories over the next four years. We'll all breathe a lot easier knowing that we can count on certain things to appear as "news" as we all face an uncertain future.

Many thanks,

Management

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HELP!!!!

For DNC Chairman

On February 12th when Dems
Assemble to replace
McAuliffe with a better chair
To run a better race;
Grant us, O Lord, the pick will be
The noisome Dr. Dean,
Whose Hyde-to-Jekyll tantrums can
Empty a mezzanine.

—W. H. von Dreele

NOW THERE'S PROGRESS! CHINA IS DRAFTING A LAW WHICH WOULD PROHIBIT SEX-SELECTION ABORTIONS!
HOW IRONIC! IF A WOMAN FROM CHINA WANTS TO ABORT HER CHILD BECAUSE SHE PREFERS TO HAVE A BOY, SHE'LL HAVE TO TRAVEL TO AMERICA!
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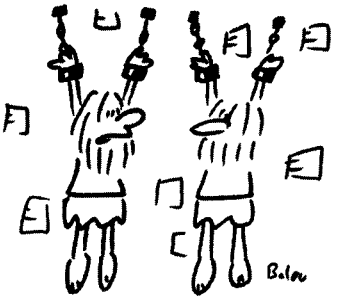

"When my ex-wife gets a restraining order, she doesn't fool around."

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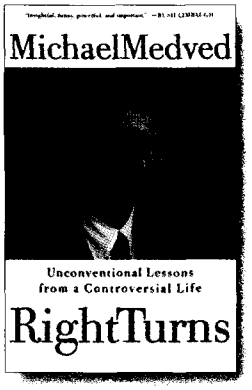
One Man's Platoons



Right Turns: Unconventional Lessons from a Controversial Life, by Michael Medved (Crown Forum, 448 pp., $26.95)

S. T. KARNICK

If you want to understand how thoroughly the American elite moved from the right to the left in the 20th century, consider this: The most talked-about conversions are those that went the other way. Whittaker Chambers, Ronald Reagan, the neoconservatives, and the like are remembered not because their stories are so representative of the times, but because they are so unusual.

There is a further irony in these stories, and it is exemplified by the journey of the film critic and social commentator Michael Medved. After a small measure of success as a politically neutral writer in his twenties and thirties, Medved became prominent in the late 1980s for saying something everybody already knew: that the Hollywood films of his time were overwhelmingly left-wing, irreligious, immoral, and disturbed. Predictably, the Left denounced him as "an angry evangelist," "the magistrate of morals," and "a humorless, authoritarian mind," whose best-selling book *Hollywood vs. America* (1992) was "chilling." Just as predictably, the Right embraced him warmly.

In short, Medved was seen as a turncoat by one side, and as a welcome convert by the other. This characterization of his "right turn," however, is not quite accurate. Like Ronald Reagan, who always said that he didn't leave the Democratic party but rather the party left him, Medved didn't leave liberalism—liberalism left him.

Medved makes that clear in his new memoir, *Right Turns*, while continuing to embrace the conservative label. During the early 1970s, Medved notes, he associated the term *liberal* with "positive values like compassion, generosity, enlightenment, and integrity." The American Left, however, though still called liberal, had moved away from those notions, and they were coming to be more commonly associated with the Right. As a result, liberalism became exceedingly perverse and dangerous.

Medved was at the center of these changes, at Yale in mid-1960s, in Berkeley during the 1970s (where he worked for the radical-Left Democratic congressman Ron Dellums), and at the Public Broadcasting System in the 1980s on the movie-review program *Sneak Previews*. What he learned from all of this was that America's powerful liberal elite was increasingly diverging from both the American people of the time and the nation's historic values. Medved notes, for example, that young Americans in the 1960s were actually very different from the radically engaged hippies of the press's favored stereotype. He points out "the other voices among American youth—pro-military, conventionally patriotic, and resentful of all the countercultural propaganda. Nixon, in fact, won a majority among voters between the ages of eighteen and twenty-nine, 52 percent to McGovern's 46 percent."

Countering the received image of his Baby Boom generation, Medved openly celebrates the joys of bourgeois life, explaining that his extensive hitchhiking as a youngster paradoxically revealed to him the great decency of Middle America: "I met a stunning assemblage of kind and vital people. [The experience] protected me from the contemptuous and dismissive attitude of so many coastal elitists to what is famously known as 'flyover country.'" What makes Middle Americans so much more appealing to him than the liberal elite is their concern for individual moral choices—as opposed to mere words, which are notoriously easy to bestow. He says "one of the most depressing, dysfunctional aspects of contemporary culture" is "the focus on faraway problems over which we have no control rather than achievable aims in our immediate surroundings."

Lauding this "Do-It-Yourself Conservatism" over what he calls the Do-Something Disease of modern liberalism, Medved says that prosaic activities—such as his embarrassing daily habit of picking up trash off his neighborhood streets—are a very simple way in which we can all make the world better. "Despite the alarming pronouncements of big-government demagogues who want us to feel powerless and paralyzed without their grandiose new programs," he says, "we can make the private choices that determine destiny."

Echoing Edmund Burke and classical-liberal thinkers, Medved sees the development of personal moral habits as paramount: "The steady application of properly regulated habits . . . can guarantee progress." Noting that success comes from constant effort, he praises the dedication of independent business owners, the police and military, and other hardworking people. "No one should underestimate the significance or power of such brazenly bourgeois virtues," he writes. The proof that these values work, he says, is in the fact that "conservatives aren't just more astute and practical than their liberal counterparts, they are also happier, more fulfilled in their lives and work." He provides poll evidence for this claim, but does not suggest that conservatives start off as better people; instead, he says that "they benefit from better ideas," and he cites "the unfailingly depressing impact of leftist thinking," with its emphasis on "national guilt [about] past American atrocities; competitive claims of victimhood; . . . reports of impending environmental disaster," and the like.

Medved's main concern as a writer has always been for how individuals live their

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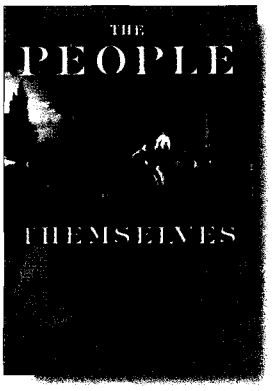
lives, how their moral choices affect their enjoyment of their time on earth. This perspective is reflected in the book's organization as a series of "lessons" from his life, and was also evident in his work as film critic. He continually argued that values and ideas are the most important aspect of movies, the characteristic that affects people most lastingly, and he held that what "matters most" in a work of art is its morality. This notion, of course, goes completely against the grain of 20th-century critical custom, and is a powerful corrective to the excesses of deconstructionism and other relativistic processes.

Similarly, he sees his nationally syndicated radio show "as one more means to apply the gradualist Do-It-Yourself approach by winning one argument at a time, changing a few minds every day, and building support bit by bit to advance the causes I [care] about." Such incrementalism is not flashy like the grand schemes of modern liberalism, but it is what works: It's the everyday employment of real compassion by society's "little platoons." These compassionate people tend to have something else in common. Medved, an Orthodox Jew, writes that "on every significant challenge—whether it's crime or poverty or family breakdown or drug addiction or educational inadequacy—serious Christianity represents part of the solution, not part of the problem. Whether rehabilitating convicts, counseling drug addicts, feeding the homeless, facilitating adoptions, or building schools and clinics and hospices in America and around the world, people of faith play a vastly disproportionate role in trying to heal and redeem humanity."

What motivates them is the simple conviction that problems are best solved by individual people caring for one another, and that we are all personally responsible for our neighbors. Their faith stirs them to action: In gratitude for what God has given to them, they give to others. Medved shares that feeling, having seen the hand of the Almighty moving in his own life, providing unexpected opportunities to change the world bit by bit, in his own way. As a result, the lessons he finds in his personal story go well beyond the merely political—to the far more important question of what each of us should do with the next few minutes of our own time. **NR**

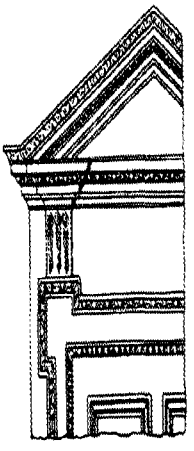
The People, In a Way



The People Themselves: Popular Constitutionalism and Judicial Review, by Larry D. Kramer (Oxford, 376 pp., $29.95)

MATTHEW J. FRANCK

For students of the Supreme Court, a crucial question is how to approach what the late Yale law professor Alexander Bickel called the "counter-majoritarian difficulty." Is the final authority to interpret the Constitution—of a democratic republic—really possessed by nine jurists who are not elected and who serve for life, subject to no meaningful threat of removal no matter what decisions they render? Constitutional-law scholarship is divided roughly in two on this question. Some (mostly, but not exclusively, political scientists and historians) claim that the Court actually quite rarely challenges prevailing political views, but instead "follows the election returns." Others (chiefly law professors) insist on the Court's importance as a restraint on democratic follies, happily embracing a vision of the justices as the proper arbiters of all constitutional questions. We might call the first camp "realists" and the second "idealists"; what they have in common is the denial, each in its own way, of the existence of the counter-majoritarian difficulty. For the realists there isn't really much counter-majoritarianism to worry about; for the idealists, counter-majoritarianism is desirable, so there isn't any difficulty about it.



The idealists see the whole purpose of the Court as the frustration of popular majorities in the name of (take your pick) "fundamental rights," the claims of "insular minorities," or some "higher law" located above the Constitution. The Court's power is not in question for these theorists—only its rectitude. The realists, who cultivate simultaneously a cheerful cynicism and a tenuous grip on reality, see the fervent Court-worship and furious Court-bashing of the idealists as so much guff; the truth for them is that the justices have their ears to the ground and attune themselves to the public mood with remarkable skill. Never mind that bit of unpleasantness in 1857 that hastened the onset of the Civil War, or the past three decades of furor caused by the abortion rulings.

Larry Kramer, who recently became dean of Stanford's law school, has no truck with either of these ways of thinking. In his new book, *The People Themselves*, he argues that the counter-majoritarian difficulty is very real, and that alone places Kramer in a small minority of today's legal professoriate. Kramer goes even further, holding that we are living under something other than the Constitution our forefathers made and bequeathed to us, and that "something other" is the regime of judicial supremacy. The widespread, virtually unquestioned belief today that the Supreme Court is (in its own words) "supreme in the exposition of the law of the Constitution" has sapped much of the life from our politics, at the same time raising the stakes of such matters as judicial appointments and constitutional amendments to an unhealthy degree. If "the people themselves" were to resume their proper place in our constitutional order—as the true authorities on the meaning of the fundamental law—our country would extricate itself from a great many of its present difficulties.

Mr. Franck is chairman of the department of political science at Radford University.

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What They're Saying About *Miles Gone By*

From beginning to end *Miles Gone By* is Buckley at his best. The way he is able to lift stories of his own experience to the level of major insights is masterful. He is a 21st-century bearer of the mantle of the Polite Essay, as worn in times past by Hazlitt, Lamb, Shaw, Orwell, Mencken, and Muggeridge. "Blackford Oakes, b. 1975" is the most fascinating account I have ever read about the birth of a fictional character. We are talking about mastery of the use of the language.

—Tom Wolfe

Then came Bill Buckley. Witty, deft in argument, willing to assert that the secular left had no monopoly on truth, he helped change the way the country thought of the right. Buckley was the movement's intellectual pastor, Reagan its successful political hero. He is one of a dwindling band of 20th-century giants who lived and worked at the nexus of books, politics, op-eds, and New York cocktail parties. Buckley embodied an unapologetic ideology but was such good company that even his most virulent foes were able to separate the personal from the political. *Miles Gone By* is at once entertaining and instructive. He fought the battle of ideas with grace for more than half a century and is an emblem of a time when the life of the mind and the life of the nation seemed intertwined.

—Jon Meacham, The New York Times

Here is a riveting selection penned by the widely-acknowledged overlord of the English language. It is at once stoic, passionate, melancholy, combative, and triumphant. *Miles Gone By* is an incantation that conjures the range of human emotion at the command of a word-wizard.

—Charles Davenport, The Charlotte Observer

Buckley started *National Review* to serve as a rallying point for conservatives who longed, in his oft-quoted words, to "stand athwart history, yelling Stop." It did just that, and then some. No other American journalist in our time has done anything so consequential.

—Terry Teachout, The Baltimore Sun

Mr. Buckley captures the mixed quality of experience, the undertow beneath a bright surface. He wonders whether, in his older age, he should give up his boat, the *Patito*, and thus, by inference, sailing itself—whether "the ratio of Pleasure to Effort" is holding its own or "creeping down," especially as physical exertion becomes ever more taxing. It is not a simple question, or a mundane one; in fact, it is profound, like so much in *Miles Gone By*.

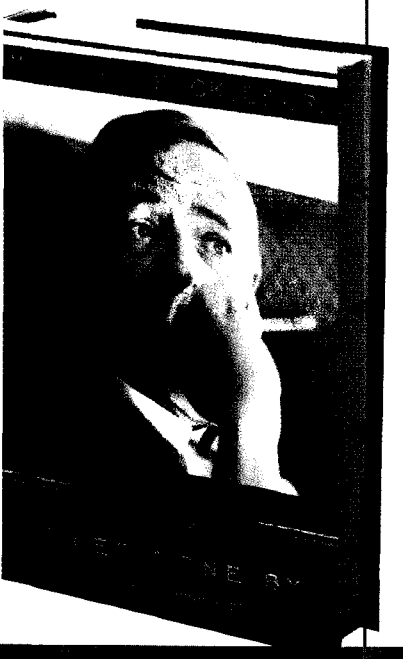
—Erich Eichman, The Wall Street Journal

***National Review* did [its work] nobly and instructively as WFB—by dint of wit, learning and sheer inexhaustible energy—rose to the station of principal American interpreter of conservatism.**

—William Murchison, The Dallas Morning News

A marvelous glimpse of virtually every period of his very full life. I have enjoyed reading about his parents and his early school days, his time at Yale, his reminiscences about Whittaker Chambers, and his vignettes about other important figures and events in his life. I particularly enjoyed his reflections on how he came to imagine the main character in his novels, Blackford Oakes—the thinking, the rationale of the thing. I do not mean to denigrate his talents as polemicist and debater; there are few better—perhaps none. I only mean to emphasize that his range is much larger than the habitat in which we are used to finding him. His capaciousness of imagination and sense of delight in the mysteries and beauties of life are extremely vivid. His sheer artistry has not yet been paid the honor due it.

—Michael Novak



Miles Gone By is less autobiography than heterobiography: the gaze is cast firmly outward, not inward. The model is not Augustine or even Montaigne; it certainly is not (thank God) Rousseau. What we have here is a chronicle of things done, not passions suffered, of people met, not feelings scrutinized, of issues debated, not emotions spent. That is doubtless one reason the book is such fun to read: it has the velocity and freshness of piqued curiosity—I almost said of a well-made martini.

—Roger Kimball, The New York Sun

For many conservatives of today, the formative public figures were politicians such as Barry Goldwater and Ronald Reagan. For some of us, though, the most significant influence was William F. Buckley, as we recited from his collections. As he retires from the public eye, having given up the TV program and the management of the magazine he founded, *Miles Gone By* is a valuable reminder of just what it was that drew people to Buckley as a writer and a person, then and now.

—Bill Virgin, The Seattle Post-Intelligencer

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The reaction to Kramer has been fairly predictable. On behalf of the imperial judiciary, Laurence Tribe of Harvard came out swinging in the *New York Times Book Review*. Shocked at the treason of a fellow law professor, Tribe accused Kramer of praising "lawless conduct" when he urged the American people to reassert their authority over their robed servants. From the other side, writing with a world-weary, almost audible yawn for those who long ago reconciled themselves to "the political character of constitutional adjudication," Judge Richard Posner of the Seventh Circuit allowed in *The New Republic* that he doesn't have much use for judicial supremacy or for Kramer's "popular constitutionalism," but that in the final analysis all is well, since "'the people' do influence our courts" just about as much as they reasonably should.

Kramer's book deserves better than either of these responses. *The People Themselves* is an instructive tour through the early history of American constitutionalism, and even if that history does not get all the details right, many of its broad brushstrokes are correct. Americans of the revolutionary and founding generations believed that their commitment to constitutional government—to the rule of law and not of men—meant the same thing as their commitment to popular government, or the ultimate authority of the people over the meaning of the law. (This is no contradiction except to those who believe we have, or can have, superhuman judges while every other agent of the people is irredeemably suspect.) It was in no one's mind in 1787 to protect the people from themselves by handing over the authoritative interpretation of the Constitution to an unaccountable judicial oligarchy. When the practice of judicial review began to emerge, it coexisted with "popular constitutionalism" and was a far cry from judicial supremacy. Instead the prevailing belief was in "departmentalism," the view that the legislative, executive, and judicial branches each had a legitimate claim to interpret the Constitution on the people's behalf and that none was to be simply obeyed by the other two.

In Kramer's view judicial supremacy, as a rival to departmentalism, was the doctrine of American history's losing political elites—High Federalists defeated by the Jeffersonians, the slave power threatened by Lincoln's Republicans—and of an emerging legal elite that viewed law as a "science" and itself as intellectually and morally superior to ordinary folk who lacked legal training. Nonlawyers might have to be tolerated as voters and as jurors, but in constitutional matters they would have to tug their forelocks when addressing their betters.

Congress, with or without presidential leadership, is the one great rival capable of challenging the Court's constitutional pretensions.

For all his fruitful provocations, it must be said that Kramer's eagerness to win an argument leads him to overdevelop some points and to underdevelop others. He makes too much of an alleged colonial and revolutionary-era belief in a "customary constitution" that was routinely "enforced" directly by the people, when the history is quite ambivalent on this subject. On the other hand, he underplays or overlooks the opposition to judicial supremacy of John Marshall and his colleague Joseph Story—two giants of jurisprudence whom Kramer could have used to good effect. He also dates the victory of judicial supremacy too recently—with the Warren Court of the 1950s and '60s—when in fact it had vanquished departmentalism in both the law schools and the popular mind about a half-century earlier. The most serious challenge to the Court in the 20th century—FDR's court-packing scheme—was a good idea poorly executed and roundly condemned because it rested on principles long since successfully attacked and chased out of respectable company.

Most important, Kramer's enthusiasm for giving the Constitution a populist spin seems to prevent him from grasping the only coherent form of the departmentalism he claims to embrace. Kramer's departmentalism is that of Jefferson, in which every constitutional question is up for grabs by every branch of government, rather than that of Madison, Marshall, and Story, in which each branch has its peculiar province where its authority cannot be gainsaid by the others. But this was Jefferson in those all-too-frequent moments when he revealed how little he understood the Constitution. In his own better moments, Kramer recognizes that in a republic, others must act for the people because they cannot legislate, enforce, adjudicate, or decree anything whatsoever themselves. As one of Kramer's heroes, James Madison, said in the *Federalist*, in American republicanism there is a "total exclusion of the people in their collective capacity, from any share" in actually governing themselves. What then can "the people themselves" really do to enforce or interpret the Constitution? In all of Kramer's account there appear to be only three things: They can vote in elections, they can serve on juries, and they can act in mobs. The last is inimical to the idea of law in any but a revolutionary situation, and the second entails the dubious idea of inconsistent "nullifications" of laws by some juries and not by others. That leaves only the first—choosing agents to act for us.

Only at the very end of the book does Kramer seem to act on the recognition that this is what his thesis comes down to—that Congress, with or without presidential leadership, is the one great rival capable of challenging the Court's constitutional pretensions. (But "Congress Itself: Legislative Constitutionalism and Judicial Review" would not have been nearly so catchy a title.) And his prescriptions for action against the Court do not follow through with much gusto on the spirit of the book's early chapters. That is because he has let himself be guided by the populism he wants to see in American history, rather than by the separation of powers the framers built into the Constitution; as a consequence, he runs out of gas when it comes to practical advice that would actually have to rely on those separated powers. Had he followed the framers more closely in these matters, he might have written a book capable of making Laurence Tribe even shriller in denunciation and Richard Posner a little less certain in his certainties. **NR**

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■ SHELF LIFE ■

When He's Right . . .

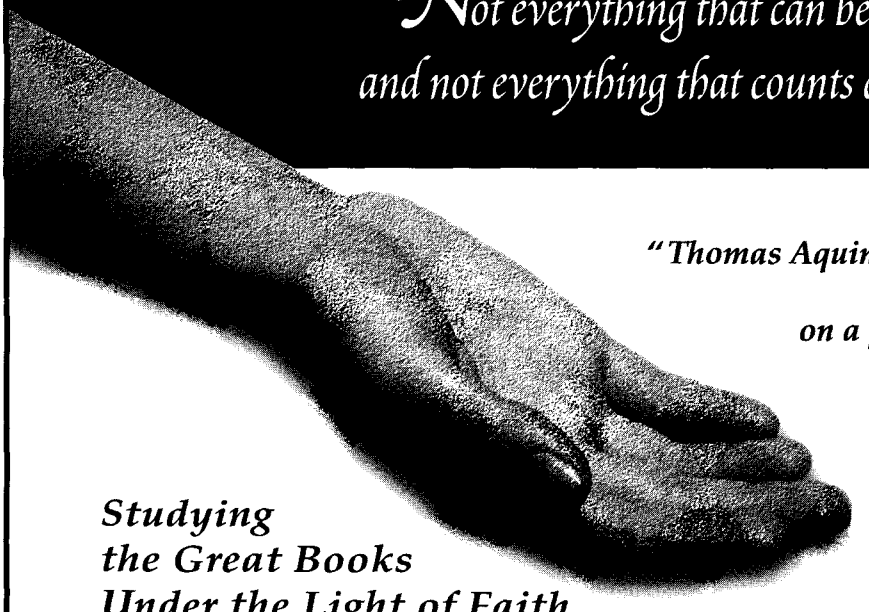
MICHAEL POTEMRA

CHRISTOPHER HITCHENS is the kind of writer who makes you miss your bus stop when you're engrossed in him, who makes you want to grab friends by the arm and read them passages that have made you shiver between the shoulder blades (this last was Vladimir Nabokov's test for good writing). He is such an excellent writer, indeed, that on the notorious occasions on which he is colossally, flagrantly *wrong* you suspect he must be kidding. (Mustn't he?)

The new anthology ***Love, Poverty, and War: Journeys and Essays*** (Nation, 475 pp., $16.95) is Hitchens's widest-ranging book since the events of 9/11 catalyzed his transformation from an occasional gadfly against leftist platitudes into a full-throated denouncer of the Left's ideological abdication from the defense of Western liberty. The United States, he writes, "has been very kind and hospitable to this immigrant, and I would calmly affirm that . . . my adopted country has found a defender in me. This necessarily broad and vague allegiance came to a tungsten-sharp point in the fall of 2001," when terrorist atrocities by "barbaric nihilists" demonstrated "the fatuity of letting only one side be ruthless and organized, let alone self-confident. It is civilization and pluralism and secularism that need pitiless and unapologetic fighters."

Civilization, pluralism, secularism: This is the trinity to which Hitchens devotes his knightly efforts. His trouncing of one of the age's most egregious snake-oil peddlers ("Unfairenheit 9/11: The Lies of Michael Moore") is reprinted in the book, and stands as a bold reassertion of the true purposes of the current war: "If Michael Moore had had his way, Slobodan Milosevic would still be the big man in a starved and tyrannical Serbia. Bosnia and Kosovo would have been cleansed and annexed. If Michael Moore had been listened to, Afghanistan would still be under Taliban rule, and Kuwait would have remained part of Iraq. And Iraq itself would still be the personal property of a psychopathic crime family, bargaining covertly with the slave state of North Korea for WMD." This passage—like many others in the book—rises to level of art in its remorseless candor; it demonstrates quite starkly who is on the side of civi-

"Not everything that can be counted counts, and not everything that counts can be counted."
— Albert Einstein



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—Mona Gahan, Class of 1976
Director of Professional Services
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lization and pluralism, and who isn't.

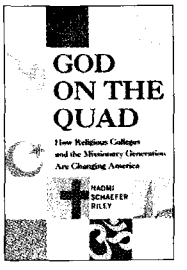
But what of Hitchens's third guiding light, secularism? In a sense, of course, secularism is a condition almost all Americans cherish; I sometimes attend a very conservative Baptist church, in which on one recent occasion the minister—in the course of arguing for traditional moral values in public life—noted that it would be a very harmful thing for the Church to run the State. But Hitchens proclaims his devotion to secularism in significantly less nuanced terms. "Religion" he condemns as "that most toxic of foes . . . the most base and contemptible of the forms assumed by human egotism and stupidity. Cold, steady hatred for this, especially in its loathsome jihad shape, has been as sustaining to me as any love." Religion is "the elevation and collectivization of credulity and solipsism"; Hitchens singles out for obloquy religion's "parasitic relationship" to "disease and ignorance and misery."

Leave aside the reference "especially" to jihad, and its implication that murder in the name of religion is merely a more extreme form of something pernicious in itself, different from other religion only in degree rather than in kind. Focus instead on the inaccurate utilitarian calculus underlying Hitchens's analysis: He is suggesting that throughout history more people have been reduced to misery by religion than have had their misery alleviated by it; that religion has encouraged egotism more than it has encouraged altruism. In Hitchens's understanding, then, Tartuffe is the rule, not the exception; but if this were the case in reality, why do the religious and irreligious alike find Tartuffe a figure of fun? Hitchens is an astute observer of society, and must therefore be aware that the acts of social benevolence inspired by religion are more numerous than the acts of religious bigotry, violence, and oppression; why then this level of rejectionist fury? In my experience, the only other people who cherish similar hatred for the sins of religious thugs, bigots, and hypocrites are . . . religious believers themselves. Do we have in Hitchens a self-suppressed Puritan, a Jeremiah who will not console erring believers with nominal professions of faith as he chastises them?

To read Hitchens, then, can be a thought-provoking joy, but sometimes a joy *tout court*. He is a lover of language, which is evident not just in his own perfectly turned phrases, but in his unearthing of gems from others. It was from Hitchens, for example, that I learned the great definition of "the upper crust" as "a load of crumbs held together by dough"—Bolshevist, to be sure, but lovely. And from this book, an anecdote in which an Irishman is seeking work at an English construction site. A surly English supervisor rebukes him: "You don't look to me as if you know the difference between a girder and a joist." To which the Irishman indignantly responds: "I do, too. The first of them wrote *Faust* and the second one wrote *Ulysses*."

Hitchens is a defender of civilization: of *Faust* and *Ulysses*, and of the lightheartedness of free men and women.

■ The spectacular failures of American higher education in our time—in particular, the spurning of high culture for left-wing and other trendinesses—have been described in countless necessary but dispiriting works. How refreshing, then, to read Naomi Schaefer Riley's splendidly detailed new book, ***God on the Quad: How Religious Colleges and the Missionary Generation Are Changing America*** (St. Martin's, 274 pp., $24.95), which describes how the classical tradition in education—the idea that students should be taught the best things that have been thought and spoken—survives in many of America's religion-based colleges and universities. "Devotion to the idea that 'the glory of God is intelligence' is ubiquitous among religious colleges," writes Riley. "The schools disproportionately require students to complete a rigorous traditional core curriculum, at the same time that the curricula of their secular rivals have often been watered down." Nature abhors a vacuum, and if you rob education of its substance students will soon end up carrying placards protesting against "slavery," by which they mean low wages at Starbucks. "The big controversy here is the Plato versus Aristotle controversy," says a freshman at Thomas Aquinas College, a Catholic liberal-arts school in California; this is just one among many positive signs recounted by Riley in her deeply heartening book.



■ The Pius XII debate is surely one of the least edifying controversies of recent years. Here was the spectacle of a southern European clergyman, dead almost 50 years, being exhumed and interrogated on the question, not *Did you commit war crimes?* but *Did you express—in terms explicit enough to be considered adequate by me, a comfortable suburban op-ed writer of the early 21st century—your disapproval of the offenses of the Nazi regime?* On this crucial question depended not just Pius's own reputation but important issues of contemporary self-definition. If you defended Pius—heck, if you merely failed to join in the attack on Pius—Pius-bashers would suspect you of anti-Semitism; some of Pius's defenders were similarly intemperate. The new book ***The Pius War: Responses to the Critics of Pius XII*** (Lexington, 282 pp., $29.95), edited by *Weekly Standard* literary editor Joseph Bottum and Rabbi David G. Dalin, a professor of history at Ave Maria University, is one of the best volumes to emerge from the controversy so far. It's an anthology of some of the most compelling defenses of Pius, including essays by the editors themselves, Michael Novak, and Ronald J. Rychlak. Two-thirds of the book—amounting to some 80,000 words—is devoted to a comprehensively annotated bibliography of the controversy by William Doino Jr.; this is a tour de force of scholarship, and highly readable to boot.

■ One of the central insights of conservatism is that reforms, no matter how well intentioned, can have very bad unintended consequences—and that pointing this out, far from being evidence of hard-heartedness, is a compassionate act of the highest order. The indispensable Mona Charen devotes her new book, ***Do-Gooders: How Liberals Hurt Those They Claim to Help (and the Rest of Us)***

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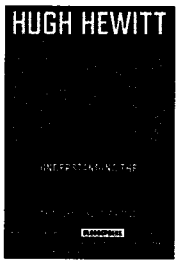
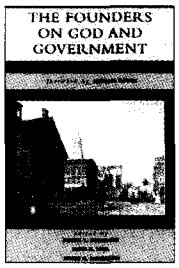
(Sentinel, 269 pp., $25.95), to depicting the severe price that America has paid for past acts of ill-considered liberal beneficence. The array of facts Charen assembles, from crime to welfare to education, is daunting and definitive: The left-liberal project, in many crucial ways, backfired. To read this excellent book is to receive a keen insight into why America has moved so far in the conservative direction in recent years.

■ In ***Africa Unchained: The Blueprint for Africa's Future*** (Palgrave Macmillan, 483 pp., $35), Ghanaian-born economist George B. N. Ayittey demonstrates yet again that he is himself one of that continent's most valuable resources. He documents in his searing pages the depredations of Africa's kleptocracies and socialist "vampire states," but offers a hopeful prognosis based on the idea of a return to indigenous market structures. "Markets were not invented by Europeans and transplanted into Africa," he writes. "There were free village markets in Africa before the Europeans stepped foot on the continent. . . . Timbucktu, Salaga, Kano, and Mombasa were all great market towns of yesteryear. It is rather bizarre and an act of unpardonable cultural sabotage for African governments to pursue strident anti-market policies." Ayittey contends that when the virulent strains of Marxism-Leninism—imported from the West in the 20th century—have been removed, Africa will have a chance to prosper. This is a fine book, and an interesting example of how cultural conservatism can coexist harmoniously with liberal (market) economics.



■ The rise of the Internet as an alternative source of information has been a boon to lovers of truth. In ***Blog: Understanding the Information Reformation That's Changing Your World*** (Nelson, 225 pp., $19.99), Hugh Hewitt provides the perfect way to understand just how important this development really is: He compares the blogosphere's overturning of the old-media monopoly to the Protestant Reformation's challenge against entrenched ecclesiastical abuses. In both cases, he writes, "a revolution in communication technology" fueled a major social transformation away from an information hierarchy, and toward greater liberty. Dan Rather as Pope Leo X: a suggestive, and cheering, image for our times.

■ Last summer, Ronald Reagan received the thanks of a nation that warmly reciprocated his love for it. The outpouring of affection toward the late president was more than matched by the tide of books on various aspects of his life and career. Now comes distinguished conservative historian Lee Edwards, with a volume that meets the important need for a very brief one-volume introduction to Reagan's character and achievements. ***The Essential Ronald Reagan: A Profile in Courage, Justice, and Wisdom*** (Rowman & Littlefield, 187 pp., $19.95) is a masterpiece of compression; strongly recommended as a first book to read on Reagan.



■ ***The Founders on God and Government*** (Rowman & Littlefield, 314 pp., $29.95), edited by Daniel L. Dreisbach, Mark D. Hall, and Jeffry H. Morrison, is a valuable anthology of essays about the thought of individual Founders on religion and religious liberty. In his essay on George Washington, AEI fellow Vincent Phillip Muñoz quotes Washington's famous letter to the Hebrew congregation of Newport: "It is now no more that toleration is spoken of, as if it was by the indulgence of one class of people, that another enjoyed the exercise of their natural rights. For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support." Muñoz points out the "revolutionary character" of the new regime Washington was describing—one in which rights do not depend on religious affiliation, but do imply corresponding patriotic duties. Also among the book's many highlights is University of Virginia political scientist Garrett Ward Sheldon's contrarian essay persuasively outlining the "all-pervading Christian perspective" in the thought of James Madison.

■ David Dubal is one of the great educators in the classical-music world; his *Essential Canon of Classical Music* (2001) is one of the best guides to the repertory. Kudos, then, to Amadeus Press for reissuing a couple of Dubal's important earlier works about his specialty, the piano. In a revised and expanded edition of ***The Art of the Piano: Its Performers, Literature, and Recordings*** (693 pp., $34.95), Dubal offers an encyclopedia of biographies of performers and composers, with discussions of hundreds of individual works (including each of the 48 Preludes and Fugues in Bach's *Well-Tempered Clavier*, and all 32 Beethoven sonatas); also contained in the book is a CD of rare performances, most from before 1940. Also being reissued is ***Evenings with Horowitz: A Personal Portrait*** (327 pp., $24.95), Dubal's account of his conversations with the singular Russian-American pianist Vladimir Horowitz; it's a highly entertaining anecdotal work on one of the last great Romantics. "The piano is the easiest instrument to play in the beginning," Horowitz tells Dubal, "and the hardest to master in the end." This volume includes a CD of some of the Dubal-Horowitz conversations.

■ Since its publication in 1978, the New International Version (NIV) has established itself as the most popular English translation of the Bible: an impressive combination of (not overly literal) accuracy and readability. But a revised version of the NIV—Today's NIV (TNIV)—has sacrificed one particular kind of accuracy in the name of political correctness. In ***The TNIV and The Gender-Neutral Bible Controversy*** (Broadman & Holman, 494 pp., $24.99), Bible scholars Vern S. Poythress and Wayne A. Grudem make a solid argument that the systematic omission of male-specific references compromises the Bible's meaning, and its concreteness, without providing any commensurate benefit. **NR**

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■ MUSIC ■

Singing His Own Song

JAY NORDLINGER

Not long before Christmas, an important operatic event took place in New York. It was not at the Metropolitan Opera, or even City Opera. It was at the Manhattan School of Music—and the opera was Lee Hoiby's *A Month in the Country*. Hoiby is an unsung American composer, and here he was: sung. Few nights at the opera will be so satisfying this season. And many more people will hear Hoiby on February 5, when another of his operas—*Summer and Smoke*—will be broadcast over National Public Radio. If we are not in a Hoiby hour, we may be in a Hoiby minute. Which is better than no time at all.

The composer will turn 80 next year, and he continues to work diligently, at his home in Long Eddy, N.Y., about 130 miles from Manhattan. If he is known for anything, he is known for his songs, of which he has written close to a hundred. They were championed by the soprano Leontyne Price, who sang them in recital after recital. When she retired in 1997, a great Hoiby voice was stilled. But there will be others, because these songs are too good to die.

There are five Dickinson songs—American composers always set Dickinson—including "Wild Nights" and "There Came a Wind Like a Bugle." There is "Always It's Spring" (on a Cummings poem), and the wonderfully comic song "The Serpent" (Theodore Roethke). In 1986—the centennial year for the Statue of Liberty—the composer took Emma Lazarus's words ("Give me your tired, your poor . . .") to write "Lady of the Harbor." Hoiby's assessment of the song is my own: "It's just a minute long, but it's a kick-ass piece."

And then there is "Goodby, Goodby, World," which uses Thornton Wilder's lines from *Our Town*. Hoiby says, "It is my best song." Whether that is true or not (I would count it tied with others), it is one of the great art songs in the American repertory.

A peculiar thing happened when Lee Hoiby was coming of age. (It would be hard to put a date on it; it simply happened, like an illness that becomes set.) Music took a sharp turn, toward the atonal and cerebral, and away from the tonal and heartfelt. (I oversimplify, but it is unavoidable.) Music that smelled of the Romantic was not only frowned on, it was reviled, and virtually outlawed. The music establishment could be Leninist in its severity. And Hoiby wanted to write music that was now considered backward—although "wanted" is the wrong word. He had no choice but to write such music, for that was the music that was in him.

First, however, Hoiby wanted to be a pianist, and he was a very good one. He remains one today. This Madison, Wis., native studied with, among others, Egon Petri, one of the great pianists and teachers of the first half of the 20th century. "I have never known anyone so capable of putting into words how a passage in music should go," says Hoiby. "He had a way with analogy and simile that was astounding." Hoiby keeps a picture of Petri on his wall.

But the young man could not keep away from his manuscript paper, and he gave in to composing. He studied with Darius Milhaud at Mills College, and then moved to Philadelphia, to work with Gian Carlo Menotti. His great influences were Mahler, Richard Strauss, and Samuel Barber. And Schubert—"It was Schubert who taught me how to write songs."

In 1952, Hoiby won a Fulbright scholarship to study at the Santa Cecilia Academy in Rome. But—wouldn't you know—they would not let him in. They rejected him on grounds that he was too old-fashioned, too conservative, a square. But, recalls Hoiby, "that was wonderful, because I didn't have to go to classes. I was contemptuous of this crowd. I knew something they didn't, namely that I was a good composer, or that I might become one." One day, Hoiby played some piano preludes for Goffredo Petrassi, a big figure at Santa Cecilia. Petrassi praised Hoiby's talent, but said, "Why don't you try some newer language?" Recounts Hoiby, "I smiled and said thank you—and went on my way."

He has a favorite metaphor: "I wanted to grow heirloom roses, but you were allowed nothing but cactuses."

Hoiby recognizes what some of the rest of us do: that he is the real radical, the real artistic rebel. "I am a nonconformist," he says. "I always refused to conform, and I paid a heavy price for it. But"—and this is an important but for Hoiby—"let me not whine about it: It was all a blessing in disguise. It left me with my whole life open, to do what I pleased, because there were always enough people around—mostly singers—who would commission something, and I could earn some money, to

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With whale oil to deserted wharves and docks
In this backwater port on Buzzards Bay,
Blustery with white caps, sporadic gulls
Screaming their hunger in the biting wind;
Boreas blasting on your back, chilled to bone,
You read the black edged names, stone cenotaphs
Of local Jonahs swallowed by the waves
In the seamen's Bethel Chapel Melville knew.
Where yankee Ahabs carved Leviathan
Into a blubber kingdom; round the Cape
They carried oil that royally lit the world,
Anointed the bent heads of popes and kings,
Ran clocks in strict Geneva, ticking still.
Interwoven in its map—pride and doom,
Insignia of its thrust and valiant skill:
A city without a shield hurls a harpoon.

—RICHARD O'CONNELL

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stay alive. I always kept my head above water."

For a while, Erich Leinsdorf, the conductor, programmed some of his music. But then, remembers Hoiby, a critic in San Francisco was savage (*How could Leinsdorf be playing this retrograde stuff?*)—and Leinsdorf never touched him again. I call this cowardice. Hoiby, characteristically, is forgiving, saying that even major conductors respond to pressures, to orthodoxy.

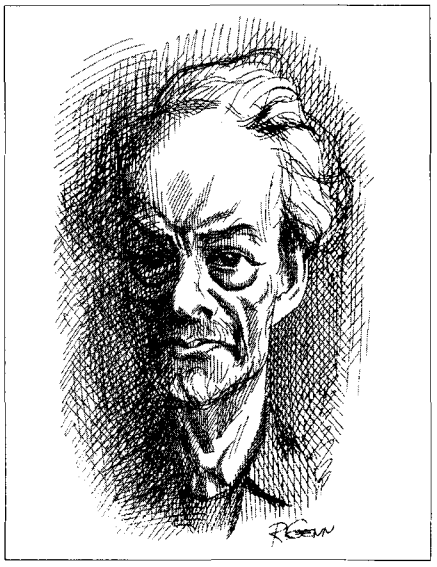
In recent times, this orthodoxy has relaxed somewhat; tonality has made a minor comeback. Ned Rorem—another American nonconformist—said to me in a 2002 interview that he feels like the Prodigal Son's brother: "I never went astray," never succumbed to fashion, always followed his musical conscience. And yet Modernism—often preceded by the adjective "thorny"—is still regnant. Night after night, as a critic, I sit in halls, hearing the same few pieces, though written by many different composers. Elliott Carter and the serialists—"the serial killers," Rorem calls them—can get a hearing any day; Hoiby and his brethren are still marginal.

And what of Hoiby should be central, or at least familiar? Well, begin with the operas. *A Month in the Country* is based on the Turgenev play, of course, and *Summer and Smoke* is based on the Tennessee Williams. In 1964, Williams heard *A Month in the Country*, and asked whether the composer would like to set one of his own plays. "Which one?" inquired Hoiby. "Take your pick, sweetheart," came the reply. Hoiby passed over *A Streetcar Named Desire*, judging it untreatable. For one thing, how could you give music to Stanley Kowalski's shouting of "Stella!" at the top of his lungs?

About 35 years later, André Previn set *Streetcar*, and what did he do with the shouting? He just let Stanley shout. "That's a perfect solution," says Hoiby. "It never occurred to me." Still, for him, *Summer and Smoke* was the much smarter bet, musically.

Others of Hoiby's operas include *The Tempest*, from which we sometimes hear a tenor aria, "Be not afeard." He also composed two monodramas, *The Italian Lesson* and *Bon Appétit!* (text by Julia Child, adapted by Mark Shulgasser). Jean Stapleton has performed them both.

Amidst all the vocal writing—not just the songs and the operas, but oratorios and anthems—the composer has not neglected his own instrument. A disc on the MMC label contains the Piano Concerto No. 2, a piece called *Narrative*, and the *Schubert Variations*. This last, in particular, is a work that pianists would be wise to exploit.



Lee Hoiby

ROMAN GENN

Also on that CD is Hoiby's Sonata for Violin and Piano, which—here I go again—ought to be a staple in that repertory. It is very American, nicely crafted, beautiful in its simplicity. (Says Hoiby, "It was Strauss, in the last scene of *Capriccio*, who gave me the courage to write simple lyricism.") The second movement has some bite—a quality that the very tuneful and humane Hoiby is sometimes said to be lacking. But even this movement has a melody: a simple, American melody. The final movement is jagged and jazzy—but, naturally, Hoiby manages to insert a song.

He has written a piano quartet, a recording of which will soon be available from Albany Records (purveyor of other Hoiby material as well). This is *Dark Rosaleen*, a "Rhapsody on an Air by James Joyce." It came about in an unusual way. At Mills College, Hoiby had a roommate whose father had been a friend of James Joyce ("Jim," to him). One day, the father came to Hoiby and said, "Would you write something down?" Joyce had sung to him a melody, to accompany James Clarence Mangan's poem "Dark Rosaleen." Hoiby saved it on some scrap found decades later—and incorporated it into this extraordinary piano quartet.

In our recent conversation, I asked Hoiby which works of his, currently unrecorded, he would like to see recorded. His initial response was, in essence, *Recorded, hell—how about performed?* He has many manuscripts on the shelf, "gathering dust." There is a flute concerto, a cello sonata. His latest opera is another Shakespeare work, *Romeo and Juliet*. Is he pleased with it? "Oh, I'm ecstatic about it. As with *The Tempest*, I dreaded to see the last line coming into view, because I loved the material so much."

It is well to remember that reputation is a funny thing: You never know when a composer will emerge, in history. Modest and serene as he is, Hoiby wouldn't mind tasting some wide acclaim—and he may just yet. "My family is very long-lived, you know." He stresses again that he is not a whiner, is not discontent, does not think of himself as a victim. "If I never hear certain pieces performed, I have written them, which is something wonderful. I have had the thrill of writing music. It is a great privilege, this musical life."

At times, he has thought of himself as lazy, but "when I see lists of my works, and the variety of them, I realize that I have done something. I have a body of work. And I'm feeling pretty good about that." So he should. And so should we. **NR**

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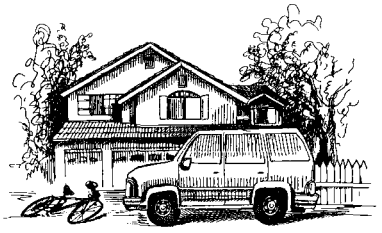
■ THE STRAGGLER ■

Count Me Out



JOHN DERBYSHIRE

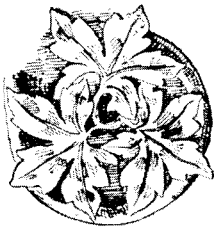
I took against the census form right away. It arrived with the lunchtime mail on a day when I was even more behind than usual with writing assignments. The American Community Survey, it declared itself at the head of Page 1 of 24, every page dense with text and boxes to be filled out or checked.

A covering letter signed by one Charles Louis Kincannon, Director, U.S. Census Bureau, explained that this survey "collects critical up-to-date information used to meet the needs of communities across the United States. For example, results from this survey are used to decide where new schools, hospitals and fire stations are needed." Isn't this the kind of thing that American communities have traditionally decided for themselves? What business is it of Uncle Sam where my suburban township locates its fire station? And doesn't American English prefer "firehouse" to "fire station," actually? After a moment or two of cogitation, I threw the thing in the trash.

It came back, of course, like the Monster from the Black Bog. Three weeks later there it was in the mailbox again. The covering letter this time affected an air of injured puzzlement. "I asked you to help us with this very important survey by completing it and mailing it back. But, we have not received it yet," chid Mr. Kincannon. Then, with a note of sternness: "You are required by U.S. law to respond to this survey."

On this particular day I was slightly ahead of the game on writing assignments, or at least not so far behind as to be in my customary condition of quivering panic, so I started in on filling out the thing. Names, dates of birth, marital status—then, right on Page 3, the races we Derbyshires consider ourselves to belong to. I scrutinized the options. "Guamanian"? "Hawaiian"? Are they really races? I consulted my 1965 copy of Carleton S. Coon's *The Living Races of Man*. Professor Coon does not list "Guamanian." Perhaps racial science has advanced into new fields of classification since 1965. "Hawaiian" is there all right, though the author notes that: "Persons who call themselves 'Hawaiians' are of 8.5 percent Caucasoid and 13.7 percent Chinese ancestry . . ." Fascinating stuff, this race business.

On to Page 5. *In the past 12 months, what was the cost of water and sewer for this house, apartment, or mobile home?* I have no clue. Should I hunt through my records and add up the numbers? I hazard a guess and press on. By the time I get to Page 11 (*What time did this person usually leave home to go to work last week?*) I have lost the will to live. I put the American Community Survey aside . . . where, so far, it has stayed for the past two weeks.



Am I falling down on my civic duty here? I consulted the ever helpful readers of National Review Online, and as usual got a full spectrum of opinions. Reader A advised me that he had similarly procrastinated with the Short Form in the last full census, until eventually the Bureau sent agents round to his home to sit down with him and work through . . . the Long Form! ("Do you have to do this a lot?" he asked them. "A lot," they replied.) Reader B, himself a field rep for the Census Bureau, told me the statutory penalties were impossible to enforce, so the veiled threat in Director Kincannon's covering letter was all bluff. He then scolded me thus: "Doing the census is one of those mundane acts of patriotism like jury duty . . . Frankly I'm disappointed in you." Ah, Sir, the ranks of people who have been disappointed in me, starting with my parents and schoolteachers, stretch so far back across the plain that I am afraid you will be inconspicuous in the host.

Reader C won my heart with this: "A Briton would fill out the survey, grumbling all the while to his grumbling contemporaries. An American would throw it in the trash, reserving his time for moneymaking, or invention, or honest leisure." This pierced me right to my hyper-patriotic immigrant heart. Of course! This is the U.S. of A., the nation where proud and free citizens ride the government agent out of town on a rail, the nation where the correct answer to "You, there—who's your master?" is: "He hasn't been born yet." Thus inspirited, I threw the thing in the trash. *There* was my true civic duty!

I was still glowing with righteous pride later that day when another reader pointed me to the December 31, 1960, issue of National Review. There I read the story of William F. Rickenbacker, a staff member at this magazine, who at census time had received the Blue Questionnaire, which is to say, the 1960 equivalent of the Long Form. After studying the queries about how many bathrooms he had, what language was spoken in his parents' home, and how many hours he had worked the previous week, the sturdy Mr. Rickenbacker pronounced, in a full-page article, that the Blue Questionnaire was "uncivilly inquisitorial and absolutely unconstitutional. . . . Some day [he went on] when the summer satrap of the Snooper State comes to ask me why I refuse to contribute my share of statistics to the national numbers game, I shall call for my lawyer."

The summer satrap duly showed up, and Mr. Rickenbacker made his call. The case went to a grand jury, to whom Mr. Rickenbacker declared: "I hope to find out in the courts of law . . . whether there still lives in this land not only the spirit but the law of liberty, which is inseparable from the idea that a God-fearing citizen may lead a private life that is no concern of the Federal Government."

And, of course, find out he did. On January 14, 1963, the U.S. Supreme Court refused to review Judge Thurgood Marshall's opinion for the Court of Appeals of the Second Circuit in *United States of America* v. *William Rickenbacker*, upholding the government's action against Rickenbacker. He was indicted, tried, found guilty, sentenced to 60 days in prison (suspended), and fined $100.

Honey, did you empty out my waste bin already . . . ? **NR**

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on the right

WILLIAM F. BUCKLEY JR.

Saving the Democrats

NEW YORK, JANUARY 7

THE world, especially American Democrats, ponders the question: Where might the party go in the immediate years ahead? The political reality seeps into the mind, that liberalism's next step is not obvious. Dogmatic socialization doesn't widely appeal. The obvious social-economic targets are education and medicine. The public sector already pays an enormous part of the cost of higher education. As for medicine, the Democrats would like to make it free, but are estopped by the crystallizing public realization that benefits that are universally used are universally paid for, like Social Security. Free liver pills end up showing their face on the ledgers of everyone.

What then might the Democrats do?

I acknowledge the recommendations of columnist E. J. Dionne, because they are commendable, but for other reasons also, which will be revealed.

Dionne, a senior fellow of the Brookings Institution, remarks that gratitude is an aspect of the human condition which is insufficiently acted upon. "Gratitude," he writes, "suggests that no matter how proud we are of our own accomplishments, we know they would have been impossible without help from others. The politics of gratitude is also a politics of reciprocity and generosity. Because we acknowledge the help we have received we are more ready, individually and collectively, to render help to others."

That point is obvious in perspectives entirely material. Before we could attend a school, or worship at a church, somebody had to build them. We routinely acknowledge our indebtedness by renewing the school's life and tending to the churches. What is harder to recall is the non-material institutional benefits we inherit. "Even if we never need the help of the courts, or of the policeman, or of the Bill of Rights," he quotes an author, "that they are there for us in the event of need distinguishes our society from most others. To alert us to their presence, however dormant in our own lives, tends to ensure their survival."

I come out of the closet to identify the words as my own, and renew my call, made 15 years ago in my book *Gratitude*, for a national program of volunteer service.

Dionne reminds us that liberalism is rooted in "profoundly conservative inclinations." The proposition that we owe something to our country is acidly tested when individuals go off to war to make the point graphically, yea, even to the grave. But the idea of universal service transcends military duty. As advocated in the book Dionne cites, universal service acknowledges that what we enjoy and lay claim to represents sacrifices made by others. We are the immediate beneficiaries, but self-esteem requires that in enjoying our patrimony, we contribute to its overhead. And the best means of accomplishing this is to give a year's service to the country.

The work that needs doing is widely advertised. The care of the elderly is a mammoth responsibility, and an 18-year-old who volunteers a year's work in caring for the elderly is repaying corporally a corporeal contribution made a generation earlier by those who were once young. The appalling cost of maintaining our forests, of contending against the disintegration of urban centers, requires work, and a quarter million young people devoting a year to the maintenance of our natural resources would be a huge contribution to the regeneration of natural life.

My proposal was that America endorse the idea of universal service without conscription. If the ethos were vital, we could look on universal service as the Swiss have for generations looked upon military service: It is something everybody simply—does. My hero Milton Friedman rejected drastically my proposal: the result of which is, alas, that the idea might, as Dionne suggests, be coopted by the Democratic party to give it a persuasive agenda for the years ahead. It would emerge as the party that sought to enliven patriotism by asking that young Americans devote a year of their lives to certifying their understanding of the obligations of mature citizenship.

Well, if the Democrats take on the idea, there will be many conservatives who will look on their call for universal service with respect and admiration.

Michael Ross Dead?

NEW YORK, JANUARY 11

CATHOLICS who attend Mass in Fairfield County, Connecticut, on Sunday, January 16, will know that in doing so they are being dutiful, it being Church law that the sabbath should be observed. But this Sunday, the faithful will be asked to declare themselves as dutiful also in a different sense—by signing a petition posted at the door at the behest of Bishop William Lori of Bridgeport.

The proximate cause of the current commotion is the impending death of Michael Ross. Much attention fastens on him because he would be the first person executed in Connecticut in 44 years, and the first ever to be executed by injection.

There is a lot that is special about Ross, other than his singularity as a condemned man this side of Texas whose execution might actually take place. Most notably different about him is that he has requested that the state get on with the execution. This is tangentially inconvenient for the defense squadron who have kept him alive for 20 years, which is when he committed his most recent murder.

That was the eighth girl he killed, and one of several he also raped. The *Hartford Courant* sent a reporter down to Texas to accompany the Connecticut official who wanted firsthand knowledge of how actually to implement the law on the books. The two were among the witnesses at the execution of James Scott Porter. He was already in jail for murder, but had now smashed a fellow inmate to death with a rock. Porter was the 337th person to die in Texas of the lethal injection: the 337th murderer to die, not the 337th Texan to die at the hands of a murderer—that number is many times larger.

What Bishop Lori is asking churchgoers to do is sign a petition to repeal the

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death penalty in Connecticut. The Connecticut bishops are of course hoping that Ross's life can yet be saved, notwithstanding that he wants to die, that the Connecticut courts have found nothing to invalidate the sentencing, that the U.S. Supreme Court declines to intervene, and that the governor of Connecticut has said she finds no reason to commute the sentence. "As a community of faith and reason," Bishop Lori has said, "as believers and as citizens, we need to ponder carefully what is about to take place and then to make our voices heard."

But of course capital punishment has been pondered, and it is the deliberated law of the state. The bishop's assumption that such punishments do not deter isn't verified. An important article in the *Stanford Law Review* in 1988 by Stephen Markman and Paul Cassell cited the research of Professor Stephen Layson of the University of North Carolina, which "concluded that increases in the probability of execution reduced the homicide rate." Markman and Cassell took that research and wrote that "we can estimate that the death penalty has deterred roughly 125,000 murders in this country in this [the 20th] century." Moreover, Layson's research "demonstrates rather starkly that under any realistic risk assessment the presence of capital punishment saves more innocent lives than it jeopardizes."

The bishop goes on to cite Pope John Paul's disapproval of capital punishment as expressed in his encyclical *Evangelium Vitae*. But the bishop does not pause over the critical point, which is that the encyclical does not condemn capital punishment in absolute moral terms; it asks that it be exercised only in cases of "extreme gravity." That means that prudence is to be consulted. This is sharply different from the Church's position on abortion, which is categorically rejected. A Catholic can in good conscience approve capital punishment for the guilty, but never capital punishment for the innocent.

Those who favor capital punishment do so in part because they fondle the deterrent claims of the penalty, but mostly because they wish to legislate the gravity that attaches to the government's responsibility to preserve human life—by being willing to execute those who take innocent lives. In the case of Michael Ross, the only reason to fail to execute him is that he wishes to be executed.

What Is Bush Saying?

NEW YORK, JANUARY 21

THE inaugural address was in several respects confusing. The arresting feature of it was of course the exuberant idealism. But one wonders whether signals were crossed in its production, and a lead here is some of the language used.

The commentators divulged that the speech was unusual especially in one respect, namely that President Bush turned his attention to it the very next day after his reelection. Presidents attach great importance to inaugural addresses, but they don't, as a rule, begin to think about them on the first Wednesday after the first Tuesday after the first Monday in November. But in this case, that is evidently what happened. And this leads the observer to wonder about some of the formulations that were used, and clumsiness that was tolerated.

Bush said that "whole regions of the world simmer in resentment and tyranny." You can simmer in resentment, but not in tyranny. He said that every man and woman on this earth has "matchless value." What does that mean? His most solemn duty as president, he said, was to protect America from "emerging threats." Did he mean, *guard* against emerging threats? He told the world that "there can be no human rights without human liberty." But that isn't true. The acknowledgment of human rights leads to the *realization* of human liberty. "The leaders of governments with long habits of control need to know: To serve your people you must learn to trust them." What is a "habit of control"?

An inaugural address is a deliberate statement, not an improvisation. Having been informed about how long the president spent in preparing it, the listener is invited to pay attention to its message and the language in which it is conveyed.

The speech was the most committed endorsement of international human liberty ever made at an inaugural ceremony. The president seemed to be saying that unless liberty survives elsewhere, our own is vulnerable. He said that U.S. policy is "to seek and support the growth of democratic movements and institutions in every nation and culture." But that, of course, other nations and other cultures will "find their own voice, attain their own freedom, and make their own way."

The age-old aphorism says that hard cases make bad law. The meaning of this is that complexities piled on top of complexities can cause the governing law to gaggle in confusion. But even granted the difficulties in applying the Bush code everywhere, the American realist inevitably asked himself questions, upon hearing the soaring, Biblical rhetoric of the president. How to apply the presidential criteria?

Okay. Never mind the tyrannies in spotty little states in Africa. Those cases are so hard as to make very bad law. A foreign policy that insists on the hygiene of the Central African Republic may be asking too much. But what about China? Is it U.S. policy to importune Chinese dissidents "to start on this journey of progress and justice"? How will we manifest our readiness to "walk at [their] side"?

China, so massive, is maybe too massive a challenge for our liberationist policy, even as the Central African Republic is too exiguous. Then what about Saudi Arabia? Here is a country embedded in oppression. Does President Bush really intend to make a point of this? Where? At the U.N.? At the Organization of African Unity? Will we refuse to buy Saudi oil?

The sentiments of President Bush are fine, and his sincerity was transparent. But in speaking about bringing liberty to the rest of the world, he could have gone at it more platonically: but this would have required him to corral his enthusiasm for liberty everywhere with appropriately moderate rhetoric.

This he seemed resolute in not doing. But the confusion in language in the speech itself leaves some listeners wondering whether last-minute thoughts were had, which failed to iron out the policy statements, even as they had failed to iron out the language.

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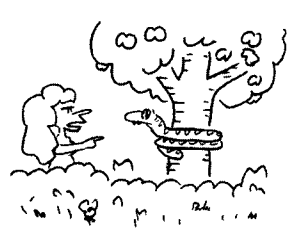

"Wait just a darn minute. . . . Let's see you *eat one!"*

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happy warrior

MARK STEYN

First Things First

One reason I was looking forward to Election Day 2004 was so I could stop being viciously partisan. I loved Campaign 2000, couldn't wait to get up each morning and do another dozen cheap cracks about Al Gore's earth tones, inventing the Internet, being "raised" on a "farm." But my heart wasn't really in it this time round. Oh, to be sure, John and Teresa were a veritable production line of great material—going into Wendy's and inquiring what "chili" was, etc.—but, to be honest, I was going through the motions. It seemed unworthy of the epic times in which we live to beat up John Edwards. I longed to put aside the ketchup-heiress gags and get back to the great geopolitical sweep of history.

I assumed the Democrats felt the same. But evidently they don't, as was made painfully clear by their decision to mark inauguration week by getting Barbara Boxer and Joe Biden to do their bad cop/bad cop routine on Condi Rice. I'm loath to admit it, but one of the dopier sentences of my entire oeuvre was some mawkish pap written in the days after 9/11 saluting the sturdy Biden, the rock of Delaware, for his robust support of the president. He reverted to his usual showboating poltroonery about ten minutes after the first edition hit the streets. What the hell was I thinking?

Well, I was thinking that the justice of our cause was so obvious that it wouldn't be a party thing. And, even though I was introduced on NPR the other day as a "notoriously toxic conservative," I still don't feel I'm the one being partisan. If I lived in Britain, I'd vote for Tony Blair's Labour party. Yes, yes, I know he's a nanny-state control-freak and you can hardly pull your pants on in the morning without filling in the form for the Public Trouser Usage Permit and undergoing inspection from the Gusset Regulatory Authority. But on the One Big Thing—the great issue of the age—he's right, and he's reliable. And, sad to say, the British Conservative party isn't. Their leader, Michael Howard, has been a cheesy opportunist on the war, supporting it at the time, backtracking later, his constantly evolving position twisting itself into a knot of contortions even John Kerry might find over-nuanced. Most other Tory heavyweights—ex-Thatcher cabinet ministers like Lord Hurd and Sir Malcolm Rifkind—are more straightforward: They're agin the war. They'd have no time for his frightful American clothes or his ghastly hamburger diet, but, social distaste aside, they're Michael Moore Conservatives.

ALASTAIR GRANT/AFP

Tony Blair and John Howard get One Big Thing

John Howard down under is more congenial, but I wouldn't say he's my kind of conservative—he's a complete wuss on gun rights, for example. Yet, like Blair, he gets the One Big Thing.

Is there a pattern here? John Howard was supposed to be in trouble in last fall's election, but he won big. Bush was supposed to be in trouble up until about 7 P.M. Eastern on November 2, but he too won big. Blair was supposed to be in trouble over his "lies" about the war, but in the British election, likely to come in May, he's now set for another landslide. Iraq, we were assured by all the commentators, was an electoral liability, and so it was—for the opposition parties. It's not just that the U.S. Democrats and the Australian Labor party lost, and the British Tories are about to lose, but it's the manner of the loss. Six months ago, Mark Latham was the great white hope of the Australian Left. Now he's quit on health grounds. As the *Sydney Morning Herald*'s Tony Stephens reported, not entirely felicitously: "He had said of John Howard at Labor's campaign launch only 16 weeks ago: 'I'm ready to lead. He's ready to leave.' He had said that he had fire in his belly and that, at 43, he was in the prime of his life. Now he is leaving while Howard continues to lead. The fire in his belly has been doused by his pancreas, the large organ behind his belly."

But, with Latham gone, the Labor party is a bar no one wants to belly up to. The likely new leader is a returning old leader, Kim Beazley, just as the British Tories, currently on their third leader in four years, keep having to bring back old-timers from the ever more distant past, and the Democrats are apparently talking about repealing the Twenty-Second Amendment so that Bill Clinton can run again. In all three parties, there's a conspicuous lack of fresh talent. That's one reason Barack Obama gets all the magazine covers. He seems a perfectly affable fellow, but the notion that he can singlehandedly rescue the Democrats is ridiculous.

These parties have no new talent because they have no new ideas. In Britain, Michael Howard brought over from Australia Lynton Crosby, the consultant behind John Howard's four election victories. Crosby doesn't seem to be impressed by what he's found—or, as the headline in the London *Times* put it, "Election Is Lost Already, Top Adviser Tells Howard."

For good or ill, Bush, Blair, and Howard are all transformative figures: They've remade their political landscapes and driven their opponents into loopy, self-inflicted death spirals. All the Democrats needed last November was their own Tony Blair—on the war, tough, moral, and credible; and a big pantywaist on health, education, and the rest of the touchy-feely stuff. The story of this election season—from Canberra to Washington to Westminster—is that candidates who engage seriously with the central challenge of the age can see off their opposition, whether Left or Right. **NR**

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On Education Reform, Let's Avoid False Choices

Kurt M. Landgraf,
President & CEO, ETS

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